

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 18 NUMBER 107

Washington, Wednesday, June 3, 1953

TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10458

PROVIDING FOR THE ADMINISTRATION OF CERTAIN FOREIGN AID PROGRAMS AND RELATED ACTIVITIES

By virtue of the authority vested in me by the Mutual Security Act of 1951, as amended, the Act for International Development, as amended, and sections 301 to 303, inclusive, of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. *International development.*

(a) The functions conferred upon the Secretary of State by Executive Order No. 10159 of September 8, 1950, 15 F. R. 6103, are hereby transferred to the Director for Mutual Security and, accordingly, the said Executive order is amended by striking therefrom, wherever they appear, the words "Secretary of State" and inserting in lieu thereof, in each instance, the words "Director for Mutual Security."

(b) The Technical Cooperation Administration is hereby transferred from the Department of State to the jurisdiction of the Director for Mutual Security and shall be administered under his direction and supervision.

SEC. 2. *Participation in certain international organizations.* There are hereby delegated to the Director for Mutual Security the functions conferred upon the President by section 534 of the Mutual Security Act of 1951, as amended, section 12 of the Mutual Security Act of 1952, and section 303 of the Mutual Security Act of 1951, as amended, with respect to the Intergovernmental Committee for European Migration (as the successor of the Provisional Intergovernmental Committee for the Movement of Migrants from Europe) the United Nations International Children's Emergency Fund, and the United Nations Korean Reconstruction Agency, respectively.

SEC. 3. *Ocean freight charges on relief supplies, etc.* The Mutual Security Agency is hereby designated as the agency of the Government which shall hereafter exercise the authority to pay

ocean freight charges on shipments of relief supplies and packages under section 117 (c) of the Economic Cooperation Act of 1948, as amended, and section 535 of the Mutual Security Act of 1951, as amended.

SEC. 4. *Functions of Secretary of State and Department of State.* (a) Nothing in this order shall be deemed to modify the functions of the Secretary of State with respect to conducting negotiations with other governments.

(b) The Secretary of State and the Director for Mutual Security shall establish and maintain arrangements which will insure that the functions of the said Director under this order shall be carried out in conformity with the established foreign policy of the United States.

(c) The Secretary of State shall be responsible for making the United States contributions, under subsections (a) and (b) of section 404 of the Act for International Development, to the United Nations for technical cooperation programs carried on by it and its related organizations, and to the Organization of American States, its related organizations, and other international organizations for technical cooperation programs carried on by them, and for making United States contributions to the international organizations referred to in section 2 hereof. The Secretary of State shall also be responsible for formulating and presenting, with the assistance of the Director for Mutual Security, the policy of the United States with respect to the assistance programs of the international organizations referred to in this subsection and in section 2 hereof and for representing the United States in those organizations. Sections 1 (a) and 2 hereof shall be subject to this subsection.

(d) The Director for Mutual Security shall allocate to the Department of State funds which have been or may be appropriated or otherwise made available for contributions of the United States to the international organizations referred to in section 2 hereof or to those receiving contributions under subsections (a) and (b) of section 404 of the Act for International Development.

(Continued on p. 3161)

CONTENTS

THE PRESIDENT

Executive Order	Page
Provision for administration of certain foreign-aid programs and related activities	3159

EXECUTIVE AGENCIES

Agriculture Department	
<i>See</i> Animal Industry Bureau;	
Farm Credit Administration;	
Production and Marketing Administration.	
Animal Industry Bureau	
Proposed rule making:	
Meat inspection regulations;	
corned beef hash	3173
Army Department	
<i>See also</i> Engineers Corps.	
Rules and regulations:	
Discharge or separation from service; discharge for convenience of Government; categories for which authorized	3168
Civil Aeronautics Board	
Proposed rule making:	
Air carrier operating rules; en route performance operating limitations	3176
Coast Guard	
Rules and regulations:	
Gifts, general fund for; acceptance, administration, and disbursement	3171
Defense Department	
<i>See</i> Army Department.	
Economic Stabilization Agency	
<i>See</i> Rent Stabilization Office.	
Engineers Corps	
Rules and regulations:	
Anchorage regulations; San Francisco Bay and connecting waters, California	3171
Bridge regulations; Taunton River, Maine	3172
Farm Credit Administration	
Rules and regulations:	
Loan interest rates and security increase in interest rate; New Orleans Bank for Cooperatives	3161



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 7- Parts 210-899 (\$2.25);
Title 7- Part 900-end (Revised Book) (\$6.00); Title 21 (\$1.25);
Titles 22-23 (\$0.65); Title 26:
Parts 80-169 (\$0.40)

Previously announced: Title 3 (\$1.75);
Titles 4-5 (\$0.55); Title 7- Parts 1-209
(\$1.75); Title 9 (\$0.40); Titles 10-13
(\$0.40); Title 17 (\$0.35); Title 18 (\$0.35);
Title 19 (\$0.45); Title 20 (\$0.60); Title
24 (\$0.65); Title 25 (\$0.40); Title 26:
Parts 170-182 (\$0.65), Parts 183-299
(\$1.75); Titles 28-29 (\$1.00); Titles
30-31 (\$0.65); Title 39 (\$1.00); Titles
40-42 (\$0.45); Title 49; Parts 1-70
(\$0.50), Parts 71-90 (\$0.45), Parts 91-
164 (\$0.40)

Order from
Superintendent of Documents, Government
Printing Office, Washington 25, D. C.

CONTENTS—Continued

Federal Power Commission	Page
Notices:	
Hearings, etc..	
Lone Star Gas Co.....	3181
Lower Valley Power and Light, Inc.....	3181
Pacific Gas and Electric Co..	3181
Sanders, W Eugene, and A. Robert Moss.....	3181
Texas Eastern Transmission Corp.....	3181

CONTENTS—Continued

Fish and Wildlife Service	Page
Proposed rule making:	
Wild bird feathers, importation of; extension of time for sub- mission of views.....	3175
Housing and Home Finance Agency	
See also Public Housing Adminis- tration.	
Notices:	
Designation of Acting Commis- sioner, Community Facilities and Special Operations; or- ganization description, in- cluding delegations of final authority	3181
Interior Department	
See Fish and Wildlife Service.	
Internal Revenue Bureau	
Rules and regulations:	
Income tax; treatment of ex- empt cooperatives for taxable years beginning after De- cember 31, 1951.....	3164
Interstate Commerce Commis- sion	
Notices:	
Applications for relief:	
Cement from North Chatta- nooga, Tenn., to Murphy, N. C.....	3182
Crude sulphur from Texas and Louisiana to Tennes- see	3182
Foreign woods from Alabama, Florida, Louisiana, and Mississippi to Marsden, N. C.....	3182
Rules and regulations:	
Car service; railroad operating regulations for freight car movement.....	3172
Parts and accessories necessary for safe operation; front brake line protection on buses	3173
Post Office Department	
Rules and regulations:	
International postal service; export declarations.....	3172
Letter, call, and lock boxes, and key deposits; box-rent rates..	3172
Production and Marketing Ad- ministration	
Proposed rule making:	
Market agencies at Sioux City Stock Yards, Sioux City, Iowa; petition for modifica- tion of rate order.....	3174
Milk handling:	
Columbus, Ohio.....	3174
New York metropolitan area..	3174
Rules and regulations:	
Peaches, fresh, grown in Georgia, expenses and rate of assessment for 1953-54 fiscal period	3164
Wheat; farm acreage allotments for 1954 crop.....	3161

CONTENTS—Continued

Public Housing Administration	Page
Notices:	
Central Office organization and final delegations of au- thority.....	
Assistant Commissioner for Development.....	3182
Director of Construction Branch, Development Divi- sion	3182
Renegotiation Board	
Rules and regulations:	
Costs allocable to and allowable against renegotiable business; losses; costs incident to dis- continuance of a renegotiable operation	3168
Rent Stabilization Office	
Notices:	
Regional Directors; designation of Acting Area Rent Direc- tors.....	3181
Rules and regulations:	
Certain defense-rental areas:	
Hotels and motor courts in Kentucky and Illinois.....	3170
Housing and rooms in New Jersey, North Carolina, and Ohio.....	3170
Hotels; miscellaneous amend- ments.....	3171
Housing, rooms and motor courts; miscellaneous amend- ments.....	3170
Securities and Exchange Com- mission	
Notices:	
Hearings, etc..	
American Gas and Electric Co. and American Gas and Electric Service Corp.....	3180
Arkansas Power & Light Co..	3180
Central and South West Corp..	3178
Consolidated Natural Gas Co..	3176
Dakota-Montana Oil Lease- holds, Inc.....	3180
Electric Bond and Share Co..	3177
General Public Utilities Corp..	3179
Long Island Lighting Co. et al..	3178
Philadelphia Co. et al.....	3178
Reitz Coal Co. and Wilmore Coal Co.....	3177
Rules and regulations:	
Fractional undivided interests in oil or gas rights involving noncontiguous tracts; Secu- rities Act of 1933.....	3104
Treasury Department	
See Coast Guard; Internal Rev- enue Bureau.	

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3	Page
Chapter II (Executive orders)	
10159, (see EO 10458).....	3159
10300 (revoked in part by EO 10458).....	3159
10368 (revoked in part by EO 10458).....	3159
10458.....	3159

CODIFICATION GUIDE—Con.

Title 6	Page
Chapter I:	
Part 70	3161
Title 7	
Chapter VII:	
Part 728	3161
Chapter IX:	
Part 927 (proposed)	3174
Part 962	3164
Part 974 (proposed)	3174
Title 9	
Chapter I:	
Part 17 (proposed)	3173
Part 28 (proposed)	3173
Title 14	
Chapter I:	
Part 40 (proposed)	3176
Part 41 (proposed)	3176
Part 42 (proposed)	3176
Title 17	
Chapter II:	
Part 230	3164
Title 26	
Chapter I:	
Part 29	3164
Title 32	
Chapter V:	
Part 582	3168
Chapter XIV:	
Part 1459	3168
Title 32A	
Chapter XXI (ORS)	
RR 1 (2 documents)	3170

CODIFICATION GUIDE—Con.

Title 32A—Continued	Page
Chapter XXI (ORS)—Continued	
RR 2 (2 documents)	3170
RR 3 (2 documents)	3170, 3171
RR 4 (2 documents)	3170
Title 33	
Chapter I:	
Part 17	3171
Chapter II:	
Part 202	3171
Part 203	3172
Title 39	
Chapter I:	
Part 27	3172
Part 127	3172
Title 49	
Chapter I:	
Part 95	3172
Part 193	3173
Title 50	
Chapter I:	
Part 10 (proposed)	3175
SEC. 5. <i>Miscellaneous provisions.</i> (a)	
Subsection (a) of section 2 and sections	
3 and 4 of Executive Order No. 10300 of	
November 1, 1951, as amended by Ex-	
ecutive Order No. 10368 of June 30, 1952,	
are hereby revoked.	
(b) There shall be transferred to the	
jurisdiction of the Director for Mutual	
Security, consonant with law, so much	

as the Director of the Bureau of the Budget shall determine of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, employed, held, used, available, or to be made available in connection with the functions transferred, delegated, or assigned to the Director for Mutual Security or the Mutual Security Agency by this order. Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers provided for in this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(c) To the extent that any provision of any prior Executive order is inconsistent with the provisions of this order, the latter shall control and such prior provision is amended accordingly.

(d) All orders, regulations, rulings, certificates, directives, agreements, contracts, delegations, determinations, and other actions of any officer or agency of the Government relating to any function affected by this order shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
June 1, 1953.

[F. R. Doc. 53-4856; Filed, June 1, 1953;
3:31 p. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[FCA Order 569]

PART 70—LOAN INTEREST RATES AND SECURITY

INCREASE IN INTEREST RATE; NEW ORLEANS BANK FOR COOPERATIVES

Effective July 1, 1953, the rates of interest which may be charged by the New Orleans Bank for Cooperatives on loans, as specified in Part 70, Chapter I, Title 6, Code of Federal Regulations (17 F. R. 1493, 2587, 3221, 18 F. R. 947, 1581, 2125, 2471) are hereby changed as follows:

1. In § 70.4 change to 3½ per centum per annum.
2. In § 70.5 change to 3 per centum per annum.
3. In § 70.7 change to 4¼ per centum per annum.

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL]

I. W. DUGGAN,
Governor

[F. R. Doc. 53-4804; Filed, June 2, 1953;
8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 728—WHEAT

SUBPART—REGULATIONS PERTAINING TO FARM ACREAGE ALLOTMENTS FOR 1954 CROP

Sec.	
728.410	Basis and purpose.
728.411	Definitions.
728.412	Extent of calculations and rule of fractions.
728.413	Instructions and forms.
728.414	Method of apportioning county allotments.
728.415	Report of data for old farms.
728.416	Determination of base acreages for old farms.
728.417	Determination of acreage allotments for old farms.
728.418	Reallocation of allotments released from farms removed from agricultural production.
728.419	Determination of acreage allotments for new farms.
728.420	Supervision, review and approval by the State committee.
728.421	Farms divided or combined.
728.422	Right to appeal.
728.423	Application for review.
728.424	Applicability of §§ 728.410 to 728.424.

AUTHORITY: §§ 728.410 to 728.424 issued under sec. 375, 52 Stat. 66, as amended; 7

U. S. C. 1375. Interpret or apply secs. 301, 334, 52 Stat. 38, 53; 7 U. S. C. 1301, 1334.

§ 728.410 *Basis and purpose.* The regulations contained in §§ 728.410 to 728.424 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1954 farm acreage allotments for wheat. The purpose of the regulations in §§ 728.410 to 728.424 is to provide the procedure for allocating the county wheat acreage allotment among farms. Prior to preparing the regulations in this part, Public Notice (18 F. R. 2621) was given in accordance with the Administrative Procedure Act (60 Stat. 237). The data, views, and recommendations pertaining to the regulations in §§ 728.410 to 728.424, which were submitted, have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 728.411 *Definitions.* As used in the regulations in this part and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them.

(a) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto.

(b) "Secretary" means the Secretary of Agriculture of the United States.

(c) "Director" means the Director of the Grain Branch, Production and Marketing Administration, U. S. Department of Agriculture.

(d) Committees:

(1) "Community committee" means the persons elected within a community as the community committee pursuant to the regulations governing the selection and functions of the Production and Marketing Administration county and community committees.

(2) "County committee" means the persons elected within a county as the county committee pursuant to the regulations governing the selection and functions of the Production and Marketing Administration county and community committees.

(3) "State committee" means the persons designated by the Secretary as the State committee of the Production and Marketing Administration.

(e) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops, and with workstock, farm machinery and labor substantially separate from that for any other land, and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county or administrative area in which the major portion of the farm is located.

(f) "Cropland" means farmland which in 1953 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein) (2) plowable non-crop open pasture, and (3) any land which constitutes or will constitute if tillage is continued a wind erosion hazard to the community.

(g) "Person" means an individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and, wherever applicable, a State, political subdivision of a State, the Federal Government, or any agency thereof.

(h) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(i) "New farm" means a farm on which wheat will be seeded for the production of wheat in 1954 for the first time since 1950.

(j) "Old farm" means a farm on which wheat was seeded for the production of wheat in one or more of the three years 1951 through 1953.

(k) (1) "Wheat acreage" means (1) any acreage seeded to wheat, excluding

wheat mixtures in the wheat mixture counties and excluding wheat acreage used as green manure, cover crop, or hay in green manure, cover crop, and hay counties, and (ii) any acreage of volunteer wheat which reaches maturity.

(2) "Wheat mixture" means a mixture of wheat and other small grains (excluding vetch, Austrian winter peas, and flax) containing, when seeded, less than 50 percent by weight of wheat and which when harvested produces less than 50 percent of wheat by weight.

(3) "Wheat mixture counties" means counties recommended by the appropriate State committees and approved by the Director as counties in which the seeding of wheat mixtures is a normal farming practice.

(4) "Green manure, cover crop and hay" means wheat seeded which does not reach maturity because it is, while still green, turned under, pastured off, or cut for hay or silage.

(5) "Green manure, cover crop, and hay counties" means counties recommended by the appropriate State committees and approved by the Director as counties in which the use of wheat as green manure, cover crop, or hay is a normal farming practice.

(l) "Acreage indicated by cropland" means the number of acres computed by multiplying the cropland for a farm by the ratio of historical wheat acreage determined for a community or county pursuant to § 728.416 (a) to cropland for the community or county. County ratio determinations will be made subject to approval of the State committee.

(m) "Cropland well suited for wheat" means that acreage of cropland on the farm which is determined by the county committee in accordance with generally accepted local standards to be well suited to the production of wheat, considering topography, type of soil, drainage, and freedom from overflow.

§ 728.412 *Extent of calculations and rule of fractions.* All acreage determinations shall be rounded to whole acres. Fractional acres of fifty-one hundredths of an acre or more shall be rounded upward, and fractional acres of less than fifty-one hundredths of an acre shall be dropped.

§ 728.413 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such instructions as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 728.414 *Method of apportioning county allotments.* The county acreage allotment shall be apportioned to farms in the county on the basis of tillable acres, crop-rotation practices, type of soil, and topography.

§ 728.415 *Report of data for old wheat farms.* The owner, operator, or any other interested person shall furnish the following information regarding the farm in which he has an interest to the county PMA office of the county in

which the farm is regarded as located if wheat was seeded for harvest for grain on the farm for 1951, 1952, or 1953:

(a) The names and addresses of the owner and operator.

(b) The total acreage of all land.

(c) The acreage of cropland.

(d) The acreage of wheat seeded for harvest as grain for the years 1951, 1952, and 1953.

(e) The acreage of wheat mixtures seeded for harvest as grains for the years 1951, 1952, and 1953.

(f) The acreage of wheat utilized for green manure, cover crops, and hay during the years 1951, 1952, and 1953.

(g) The acreage of cropland summer fallowed during the years 1951 and 1952 for wheat in 1952 and 1953 and to be summer fallowed in 1953 for wheat in 1954.

(h) The acreage of cropland well suited for wheat.

(i) Other pertinent information requested by the county PMA office relative to operations of the farm.

§ 728.416 *Determination of base acreages for old farms.* To reflect the factors of tillable acres, crop-rotation practices, type of soil, and topography, the county committee shall determine for each farm on which there was wheat acreage for any one of the years 1951, 1952, and 1953, a base acreage of wheat, as follows:

(a) *Historical acreage.* There shall first be established for each farm a historical wheat acreage which shall be the average of the acreages seeded to wheat for 1952 and 1953.

(b) *Adjusted acreage.* The county committee shall adjust the historical acreage for any farm by eliminating from the period of years used in determining the historical acreage the year or years for which it finds that the wheat acreage was:

(1) Abnormally low due to excessive wet weather or flood.

(2) Abnormally low due to drought.

(3) Abnormally high because of failure of crops other than wheat.

(4) Not typical for 1954 because of a change in operations which results in substantial changes in the established crop-rotation system for the farm.

(5) Not typical for 1954 because of a definitely established rotation system being carried out on the farm.

The adjusted acreage shall be that wheat acreage for the year not so eliminated and if both years are eliminated the adjusted acreage shall be zero.

(c) *Base acreage.* The county committee shall establish a base acreage for each farm which is fair and equitable as compared with the base acreages for all other farms in the county by making such adjustments as it determines to be necessary in the adjusted acreage for the farm or, if no adjusted acreage was determined for the farm under paragraph (b) of this section, in the historical acreage for the farm, taking into consideration (1) tillable acres, type of soil, topography, and the crop-rotation system for the farm, including the equipment and other facilities available for carrying out such system and the acreage seeded to wheat for 1951, and (2) the base acreages

for other farms in the community which are comparable with respect to tillable acres, crop-rotation practices, type of soil, and topography. Such adjustments shall be subject to the following limitations:

(1) The historical acreage or the adjusted acreage, as the case may be, may be adjusted downward not to exceed 25 percent, but not below the smaller of the acreage indicated by cropland or the cropland well suited for wheat.

(2) If both years in the applicable period were eliminated under paragraph (b) of this section and at least one of such years was eliminated under subparagraph (1) through (4) of paragraph (b) of this section, the adjusted acreage may be adjusted upward but not above the smaller of the acreage indicated by cropland or the cropland well suited for wheat.

(3) If both years in the applicable period were eliminated under paragraph (b) (5) of this section, the adjusted acreage may be adjusted upward but not above the acreage of cropland well suited for wheat.

(4) A zero base acreage shall be established only for a farm on which no wheat will be seeded for 1954 under the crop-rotation system for the farm.

§ 728.417 *Determination of acreage allotments for old farms.* The 1954 county acreage allotment, after deduction of appropriate reserves for appeals and correction of errors and a reserve for new farms of not to exceed 3 percent of the county allotment, shall be apportioned pro rata among farms within the county on the basis of the base acreages determined under § 728.416 (c).

§ 728.418 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any farm which is removed from agricultural production by acquisition in 1940 or thereafter by a United States agency for national defense purposes shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or acquired by owners displaced because of acquisition of their farms by the United States. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any other farm owned or acquired by him equal to an allotment which shall be comparable to the allotments established for other farms in the same area which are similar except for the past acreage of wheat.

§ 728.419 *Determination of acreage allotments for new farms.* (a) The county committee shall establish wheat acreage allotments for eligible farms on which wheat was not seeded for harvest as wheat for any of the years 1951, 1952, and 1953 but for which wheat acreage allotments are requested for 1954 prior to July 1, 1953, or such earlier date set by the State committee as affording reasonable opportunity for requesting such allotments. Each request for such an allotment shall include the following information:

(1) The acreage of all land and total cropland on the farm for which an allotment is requested.

(2) The acreage of cropland on the farm which is considered by generally accepted local standards to be well suited to the production of wheat, considering topography, type of soil, drainage, and freedom from overflow.

(3) The name and address of the farm owner and, if known, the name and address of the 1954 operator.

(4) Location and description of the farm.

(5) Identification and location of any other farms in which the operator will have an interest in 1954.

(6) Acreage of wheat in which the operator had an interest in 1951, 1952, or 1953, and identification and location of land on which such wheat was seeded.

(7) Wheat acreage allotment requested for 1954.

(8) Reasons for requesting a 1954 wheat acreage allotment.

(9) Reason for not seeding wheat on the farm in 1951, 1952, and 1953.

(b) Eligibility for new farm allotments shall be conditioned upon the following:

(1) The land for which an allotment is requested is well suited for the production of wheat; and

(2) The producer establishes to the satisfaction of the county committee that:

(i) The system of farming has changed or is changing to the extent that wheat will be included in such system for 1954 and the operator will not have an interest in any other farm for which a 1954 wheat acreage allotment will be determined; or

(ii) The established rotation system followed on the farm will include wheat for 1954.

In determining allotments for new farms, the county committee shall take into consideration tillable acres, type of soil, topography, and the farming system to be followed by the operator, including the equipment and other facilities available for the production of wheat under such farming system, and the extent to which the operator is dependent for his livelihood on his farming operations: *Provided*, That the wheat acreage allotment for a new farm shall not exceed (1) the allotment requested for the farm, or (2) the acreage indicated by cropland. The sum of all new farm acreage allotments in the county shall not exceed the reserve set aside for new farm acreage allotments.

§ 728.420 *Supervision, review, and approval by the State committee.* The State committee shall be responsible for the work of the county committees in the apportionment of the county wheat acreage allotments to farms, the review of all allotments, and the correction of any improper determinations made under the regulations in this part. All acreage allotments shall be approved by or on behalf of the State committee and no official notice of an acreage allotment shall be mailed until such allotment has been approved by or on behalf of the State committee.

§ 728.421 *Farms divided or combined.*

(a) The 1954 wheat acreage allotment determined for a farm shall, if there is a division, be apportioned to each part on the basis of the acreage of cropland on each part. If the county committee determines that this method would result in allotments not representative of the farming operations normally carried out on each part, an allotment may be determined for each part in the same manner as would have been done if such part had been a completely separate farm: *Provided*, That the sum of the allotments thus determined for each part shall not exceed the allotment originally determined for the entire farm which is being divided.

(b) If two or more farms for which the 1954 wheat acreage allotments are determined will be combined and operated as a single farm in 1954, the 1954 allotment shall be the sum of the allotments determined for each of the farms comprising the combination.

§ 728.422 *Right to appeal.* Any owner, operator, landlord, tenant, or sharecropper, who is dissatisfied with the acreage allotment for his farm may file an appeal for reconsideration of the allotment for his farm. The request for appeal and facts constituting a basis for such consideration must be submitted in writing and postmarked or delivered to the county committee within 15 days after the date of mailing the notice of allotment. If the applicant is dissatisfied with the decision of the county committee with respect to his appeal, he may appeal to the State committee within 15 days after the date of mailing of the notice of the decision of the county committee. If the applicant is dissatisfied with the decision of the State committee, he may, within 15 days after the date of mailing of the notice of the decision of the State committee, appeal to the Director, whose decision shall be final.

§ 728.423 *Application for review.* If marketing quotas are in effect, any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm may, within 15 days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the county committee to have such allotment reviewed by a review committee. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (Part 711 of this chapter) which are available at the office of the county committee.

§ 728.424 *Applicability of §§ 728.410 and 728.421.* Sections 728.410 to 728.424 shall govern the establishment of the farm acreage allotments for the 1954 crop of wheat for use in connection with farm price support programs, and farm marketing quotas if applicable to the 1954 crop of wheat. The regulations are contingent upon the proclamation of a national acreage allotment of wheat for 1954 by the Secretary pursuant to section 333 of the Agricultural Adjustment Act of 1938, as amended.

NOTE: The reporting requirements contained herein have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of Budget in accordance with Federal Reports Act of 1942.

Done at Washington, D. C., this 28th day of May 1953. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-4824; Filed, June 2, 1953;
8:54 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 962—FRESH PEACHES GROWN IN GEORGIA

DETERMINATION RELATIVE TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1953-54 FISCAL PERIOD

Notice was published in the May 6, 1953, daily issue of FEDERAL REGISTER (18 F. R. 2622) that consideration was being given to the proposals regarding the expenses and the fixing of the rate of assessment for the 1953-54 fiscal period under the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962) regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order) it is hereby found and determined that;

§ 962.207 *Expenses and rate of assessment for the 1953-54 fiscal period*—(a) *Expenses.* The expenses necessary to be incurred by the Industry Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning March 1, 1953, will amount to \$21,672.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles peaches shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at one and four-tenths cents (\$.014) per bushel basket of peaches (net weight 50 pounds) or its equivalent of peaches in other containers or in bulk.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237, 5 U. S. C. 1001 et seq.) in that (1) shipments of peaches from Georgia are now being made; (2) the rate of assessment

is applicable to all fresh peaches shipped during the 1953-54 fiscal period; (3) a large volume of the Georgia peach crop is handled by itinerant truckers and cash buyers who operate in the area only part of the season; and (4) in order for the regulatory assessment to be collected, especially from those handlers who do not have definite or established places of business in the production area, it is essential that the specification of the assessment rate be issued immediately so as to enable the said Industry Committee to perform its duties and functions under said amended marketing agreement and order.

As used in this section, the terms "handler," "handles," "shipped," "peaches," "production area," and "fiscal period," shall have the same meaning as is given to each such term in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Supp. 608c)

Done at Washington, D. C., this 29th day of May 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-4826; Filed, June 2, 1953;
8:55 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

FRACTIONAL UNDIVIDED INTERESTS IN OIL OR GAS RIGHTS INVOLVING NONCONTIGUOUS TRACTS

Purpose of amendment. Section 230.334 (Rule 334) under the Securities Act of 1933 provides that oil or gas interests involving noncontiguous tracts of land may be included in the same offering sheet under Regulation B only if the interests offered are producing landowners' royalty interests and if certain other conditions are met. The purpose of this rule is to guard against investors being misled through the inclusion in a single offering sheet of interests in different tracts which may vary greatly in present or prospective value due to their location with reference to other tracts developed or proposed to be developed. However, it has been found that in certain instances the rule has operated with unnecessary stringency and has resulted in the filing of additional offering sheets with respect to nonproducing interests in different noncontiguous tracts in order to obtain the exemption. Where, for example, all of the tracts involved are located a considerable distance from any tract developed or proposed to be developed, there may be no discernible difference in the value or prospective value of the several tracts and consequently in such a case there is no reason why all such tracts may not be included in a single offering sheet.

Accordingly, the Commission has amended the rule so as to provide that

nonproducing landowners' royalty interests in noncontiguous tracts may be included in a single offering sheet where it appears, on the basis of all past or proposed development for oil or gas, that all of the tracts have equal possibilities, and where all of the other conditions of the rule are met.

Statutory basis. This action is taken pursuant to the Securities Act of 1933, particularly sections 3 (b) and 10 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act.

Text of amendment. Paragraphs (a) and (b) of § 230.334 (Rule 334) are amended to read as follows:

§ 230.334 *Interests involving noncontiguous tracts.* * * *

(a) All interests offered for sale thereunder are landowners' royalty interests.

(b) All of the tracts involved are currently producing oil or gas and are located wholly within the limits of the same oil or gas pool, or if the interests are nonproducing interests, all of the tracts involved appear, on the basis of all past or proposed development for oil or gas, to have equal possibilities.

The Commission finds that the foregoing amendment will operate to the advantage of issuers offering oil or gas interests, that it is consistent with the interests of investors, and that notice and procedure in accordance with section 4 of the Administrative Procedure Act with respect to such amendment is not necessary.

The foregoing amendment, being one relieving a restriction, shall become effective immediately upon publication May 25, 1953.

(Sec. 19, 48 Stat. 85 as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MAY 25, 1953.

[F. R. Doc. 53-4801; Filed, June 2, 1953;
8:48 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess-Profits Taxes [T. D. 6014; Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

INCOME TAX TREATMENT OF EXEMPT COOPERATIVES

On November 8, 1952, notice of proposed rule making was published in the FEDERAL REGISTER (17 F. R. 10145) conforming Regulations 111 (26 CFR Part 29) to section 314 (a) (b), and (d) of the Revenue Act of 1951, approved October 20, 1951. After consideration of all such relevant matter as was presented by interested persons relating to the rules proposed, the amendments to Regulations 111 set forth below, are hereby adopted.

PARAGRAPH 1. There is inserted immediately preceding § 29.101 (12)-1 (26 CFR 29.101 (12)-1) the following:

SEC. 314. INCOME TAX TREATMENT OF EXEMPT COOPERATIVES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

(a) *Amendment of section 101 (12).* Section 101 (12) is hereby amended as follows:

(1) By inserting after "(12)" the following: "(A)"

(2) By inserting after such paragraph the following:

(B) An organization exempt from taxation under the provisions of subparagraph (A) shall be subject to the taxes imposed by sections 13 and 15, or section 117 (c) (1), except that in computing the net income of such an organization there shall be allowed as deductions from gross income (in addition to other deductions allowable under section 23)—

(i) Amounts paid as dividends during the taxable year upon its capital stock, and

(ii) Amounts allocated during the taxable year to patrons with respect to its income not derived from patronage (whether or not such income was derived during such taxable year) whether paid in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice, or in some other manner that discloses to each patron the dollar amount allocated to him. Allocations made after the close of the taxable year and on or before the fifteenth day of the ninth month following the close of such year shall be considered as made on the last day of such taxable year to the extent the allocations are attributable to income derived before the close of such year.

Patronage dividends, refunds, and rebates to patrons with respect to their patronage in the same or preceding years (whether paid in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice, or in some other manner that discloses to each patron the dollar amount of such dividend, refund, or rebate) shall be taken into account in computing net income in the same manner as in the case of a cooperative organization not exempt under subparagraph (A). Such dividends, refunds, and rebates made after the close of the taxable year and on or before the 15th day of the ninth month following the close of such year shall be considered as made on the last day of such taxable year to the extent the dividends, refunds, or rebates, are attributable to patronage occurring before the close of such year.

(b) *Technical amendments.* (1) Section 101 is hereby amended by striking out "Except as provided in supplement U" and inserting in lieu thereof the following: "Except as provided in paragraph (12) (B) and in supplement U"

(2) The last sentence of section 101 is hereby amended by striking out "Notwithstanding supplement U" and inserting in lieu thereof "Notwithstanding paragraph (12) (B) and supplement U"

(d) *Effective date.* The amendments made by subsections (a) and (b) of this section shall be applicable only with respect to taxable years beginning after December 31, 1951 * * *

PAR. 2. Section 29.101 (12)-1, as amended by Treasury Decision 5458, approved June 15, 1945, is amended by changing the heading thereof to read as follows:

§ 29.101 (12)-1 *Farmers' cooperative marketing and purchasing associations;*

*requirements for exemption under section 101 (12) (A) * * **

PAR. 3. There is inserted immediately following § 29.101 (12)-1 the following new section:

§ 29.101 (12)-2 *Tax treatment of farmers' cooperative marketing and purchasing associations exempt under section 101 (12) (A) for taxable years beginning after December 31, 1951—(a) In general.* (1) For taxable years beginning

after December 31, 1951, section 101 (12) (B) is applicable to farmers' fruit growers, or like associations organized and operated on a cooperative basis in the manner prescribed in section 101 (12) (A). Although such an association is subject to both normal tax and surtax, as in the case of corporations generally, certain special rules for the computation of net income are provided in section 101 (12) (B) and § 29.101 (12)-3. For the purpose of any law which refers to organizations exempt from income taxes such an association shall, however, be considered as an organization exempt under section 101. Thus, under section 454 (a) such an association is not subject to the excess profits tax. Similarly, the provisions of section 26 (b) providing a credit for dividends received from a domestic corporation subject to taxation, are not applicable to dividends received from a cooperative association subject to 101 (12) (B). The provisions of section 141, relating to consolidated returns, are likewise not applicable.

(2) Rules governing the manner in which amounts allocated as patronage dividends, refunds, or rebates are to be taken into account in computing the net income of such an association are set forth in § 29.101 (12)-4. For the tax treatment, as to patrons, of amounts received during the taxable year as patronage dividends, rebates, or refunds see § 29.22 (a)-23.

(b) *Meaning of terms.* For purposes of §§ 29.101 (12)-2 to 29.101 (12)-4, inclusive, §§ 29.148-4 (f) and 29.22 (a)-23, the following terms shall have the meaning ascribed below:

(1) *Cooperative association.* The term "cooperative association" includes any corporation operating on a cooperative basis and allocating amounts to patrons on the basis of the business done with or for such patrons, except that the term does not include any cooperative or nonprofit corporation (including any cooperative or nonprofit corporation engaged in rural electrification) exempt from taxation under section 101 (10) or (11) or any corporation subject to a tax imposed by Supplement G (relating to insurance companies).

(2) *Patron.* The term "patron" includes any person with whom or for whom the cooperative association does business on a cooperative basis, whether a member or a nonmember of the cooperative association, and whether an individual, a trust, estate, partnership, company, corporation, or cooperative association.

(3) *Allocation.* The term "allocation" includes distributions made by a cooperative association to a patron in cash, merchandise, capital stock, revolving fund-certificates, retain certificates,

certificates of indebtedness, letters of advice, similar documents, or in any other manner whereby there is disclosed to a patron the dollar amount apportioned on the books of the association for the account of such patron. Thus, a mere credit to the account of a patron on the books of the cooperative associations, without disclosure to the patron, is not an allocation.

(4) *Patronage dividends, rebates, and refunds.* The term "patronage dividend, rebate, or refund" includes any amount allocated by a cooperative association, to the account of a patron on the basis of the business done with or for such patron. The following are not patronage dividends, rebates, or refunds:

(i) Amounts distributed in redemption of capital stock, or in redemption or satisfaction of certificates of indebtedness, revolving fund certificates, retain certificates, letters of advice, or other similar documents;

(ii) Amounts allocated (whether in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice, or in some other manner that discloses to each patron the amount of such dividend, refund, or rebate) by the association for products of members or other patrons to the extent such amounts are fixed without reference to the earnings of the cooperative association. For this purpose, the term "earnings" includes the excess of amounts retained (or assessed) by the association to cover expenses or other items over the amount of such expenses or other items.

(c) *Examples.* The application of paragraph (b) of this section may be illustrated by the following examples:

Example 1. Cooperative A, a marketing association operating on a pooling basis, receives the products of patron W on January 5, 1952. On the same day Cooperative A advances to W 45 cents per unit for the products so delivered and allocates to him a "retain certificate" having a face value calculated at the rate of 5 cents per unit. During the operation of the pool, and before substantially all the products in the pool are disposed of, Cooperative A advances to W an additional 40 cents per unit, the amount being determined by reference to the market price of the products sold and the anticipated price of the unsold products. At the close of the pool on November 10, 1952, Cooperative A determines the excess of its receipts over the sum of its expenses and its previous advances to patrons, and allocates to W an additional 3 cents per unit and shares of the capital stock of A having an aggregate of face value calculated at the rate of 2 cents per unit.

The amount of patronage dividends, rebates, or refunds allocated to W during 1952 amount to 5 cents per unit, consisting of the aggregate of the following per-unit allocations: The amount of cash distribution (3 cents), and the face value of the capital stock of A (2 cents), which are fixed with reference to the earnings of A. The amount of the two distributions in cash (85 cents) and the face amount of the "retain certificate" (5 cents), which are fixed without reference to the earnings of A, do not constitute patronage dividends, rebates, or refunds.

Example 2. Cooperative B, a marketing association operating on a pooling basis, receives the products of patron X on March 5, 1952. On the same day Cooperative B pays to X \$1.00 per unit for such products, this

amount being determined by reference to the market price of the product when received, and issues to him a participation certificate having no face value but which entitles X on the close of the pool to the proceeds derived from the sale of his products less the previous payment of \$1.00 and the expenses and other charges attributable to such products. On March 5, 1955, Cooperative B, having sold the products in the pool, having deducted the previous payments for such products, and having determined the expenses and other charges of the pool, redeems the participation certificate of X in cash for 10 cents per unit. The allocation made to X during 1955, amounting to 10 cents per unit, is a patronage dividend, rebate, or refund. Neither the payment to X in 1952 of \$1.00 nor the issuance to him of the participation certificate in that year constitutes a patronage dividend, rebate, or refund within the meaning of this section.

Example 3. Cooperative C, a purchasing association, obtains supplies for patron Y on May 1, 1952, and receives in return therefor \$100. On February 1, 1953, Cooperative C, having determined the excess of its receipts over its cost and expenses, allocates to Y a cash distribution of \$1.00 and a revolving fund certificate of a face amount of \$1.00. The amount of patronage dividends, rebates, or refunds allocated to Y for 1953 is \$2.00, the aggregate of the cash distribution of \$1.00, and the face amount, \$1.00, of the revolving fund certificate.

Example 4. Cooperative D, a service association, sells the products of members on a fee basis. It receives the products of patron Z under an agreement not to pool his products with those of other members, to sell his products, and to deliver to him the proceeds of the sale. Patron Z makes payments to Cooperative D during 1952 aggregating \$75 for service rendered him by Cooperative D during that year. On May 15, 1953, Cooperative D, having determined the excess of its receipts over its costs and expenses, allocates to Z a cash distribution of \$2.00. Such amount is a patronage dividend, rebate, or refund allocated by Cooperative D during 1953.

§ 29.101 (12)-3 *Manner of taxation of cooperative associations subject to 101 (12)*—(a) *In general.* For taxable years beginning after December 31, 1951, farmers' fruit growers' or like associations, organized and operated in compliance with the requirements of section 101 (12) (A) and § 29.101 (12)-1 shall be subject to the taxes imposed by sections 13 and 15 or section 117 (c) (1) except that there shall be allowed as deductions from gross income, in addition to the other deductions allowable under section 23, certain special deductions provided in section 101 (12) (B) (i) and (c) of this section, and section 101 (12) (B) (ii) and (d) of this section. Amounts allocated as patronage dividends, refunds, or rebates, whether in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice, or in some other manner that discloses to each patron the dollar amount allocated, with respect to patronage for the taxable year or for preceding taxable years, shall be taken into account in the manner provided in section 101 (12) (B) and in § 29.101 (12)-4.

(b) *Cooperative associations exempt from tax before January 1, 1952.* (1) In the case of a cooperative association exempt from tax for taxable years beginning prior to January 1, 1952, the taxable year (fiscal year or calendar

year, as the case may be) shall be determined without regard to the fact that such association may have been exempt from tax and not subject to the provisions of section 101 (12) (B) during any prior period. See sections 41 and 48 and the regulations thereunder. Similarly in computing net income, the determination of the taxable year for which an item of income or expense is taken into account shall be made under the provisions of sections 41, 42 and 43 and the regulations prescribed thereunder, whether or not the item arose during a taxable year beginning before, on, or after December 31, 1951. For the purpose of determining the method of accounting of the cooperative association under section 41, a method of accounting recognized under section 41 and under the regulations prescribed thereunder and utilized in the return of such association filed for the first taxable year beginning after December 31, 1951, shall be deemed to constitute the method of accounting regularly employed by the cooperative association. The method selected shall be subject to the approval of the Commissioner upon the examination of the return. Any change of the method so selected and so approved may be made only if permission is obtained from the Commissioner to change to another recognized basis in accordance with § 29.41-2.

(2) In any case where inventories are an income-producing factor see section 22 (c) and (d) and the regulations prescribed thereunder. The elective method of inventorying goods provided in section 22 (d) may be adopted by the cooperative association for any taxable year beginning after December 31, 1951, in accordance with the requirements of section 22 (d) and the regulations issued under that section. In order to use such method for such a taxable year, the cooperative association must exercise the election provided in sections 22 (d) (2) and § 29.22 (d)-3 even though it may have utilized such method for accounting purposes for taxable years beginning prior to January 1, 1952.

(3) The following rules shall be applicable in computing, under section 122, the net operating loss deduction provided in section 23 (s). No net operating loss carry-back or carry-over shall be allowed from a taxable year beginning prior to January 1, 1952, for which the cooperative association was exempt from tax under section 101 (12). In the case of a taxable year beginning prior to January 1, 1952, for which the association was not exempt under section 101 (12) and of a taxable year beginning after December 31, 1951, the amount of the net operating loss carry-back or carry-over from such year shall not be reduced by reference to the income of any taxable year beginning prior to January 1, 1952, for which the association was exempt from tax under section 101 (12). However, in determining preceding taxable years and succeeding taxable years under section 122 (b), a taxable year beginning prior to January 1, 1952, for which the cooperative association was exempt from tax under section 101 (12) shall be taken into account and shall be

considered to be a "preceding taxable year" or a "succeeding taxable year," as the case may be.

(4) The adjustments to the cost or other basis provided in section 113 (b) and §§ 29.113 (b) (1)-1 to 29.113 (b) (1)-3, inclusive, are applicable for the entire period since the acquisition of the property. Thus, proper adjustment to basis must be made under section 113 (b) for depreciation, obsolescence, amortization and depletion for all taxable years beginning prior to January 1, 1952, although the cooperative association was exempt from tax under section 101 (12) for such years. However, the provisions of section 114 (b) (relating to percentage and discovery depletion) are applicable only for such years during which the association was not exempt from tax under section 101 (12). The amendment to section 113 (b) (1) (B) (limiting the adjustment to basis for excessive depreciation, etc., which did not result in a reduction of taxes) made by Public Law 539, 82d Congress, is also applicable for such years where the association has made a proper election in accordance with section 113 (d) and the regulations prescribed thereunder. Similarly, in the case of tax exempt and partially taxable bonds purchased at a premium and subject to amortization under section 125, proper adjustment to basis must be made to reflect amortization with respect to such premium from the date of acquisition of the bond. (For principles governing the method of computation, see the example in § 29.113 (b)-1 (4) relating to mutual savings banks, building and loan associations, and cooperative banks.) The basis of a fully taxable bond purchased at a premium shall be adjusted from the date of the election to amortize such premium in accordance with the provisions of section 125 except that no adjustment shall be allowable for such portion of the premium attributable to the period prior to the election.

(5) In the case of a mortgage acquired at a premium where the principal of such mortgage is payable in installments, adjustments to the basis of the premium must be made for all taxable years (whether or not the association was exempt from tax under section 101 (12) during such years) in which installment payments are received. Such adjustments may be made on an individual mortgage basis or on a composite basis by reference to the average period of payments of the mortgage loans of such association. For the purpose of this adjustment, the term "premium" includes the excess of the acquisition value of the mortgage over its maturity value. The acquisition value of the mortgage is the cost including buying commissions, attorneys' fees or brokerage fees, but such value does not include amounts paid for accrued interest.

(6) The cooperative association may select either of the alternative methods for treating bad debts provided in § 29.23 (k)-1 (a) in the return for its first taxable year beginning after December 31, 1951. The method selected shall be subject to the approval of the Commissioner upon examination of the return. Any change in the method so

selected and approved may be made only if permission is granted as provided in § 29.23 (k)-1 (a)

(c) *Deduction for dividends paid.* There is allowable as a deduction from the gross income of a cooperative association operated in compliance with the requirements of section 101 (12) (A) and § 29.101 (12)-1, amounts paid as dividends during the taxable year upon the capital stock of the cooperative association. For the purpose of the preceding sentence, the term "capital stock" includes common stock (whether voting or nonvoting) preferred stock, or any other form of capital represented by capital retain certificates, revolving fund certificates, letters of advice, or other evidence of a proprietary interest in a cooperative association. Such deduction is applicable only to the taxable year in which the dividends are actually or constructively paid to the holder of capital stock or other proprietary interest of the cooperative association. If a dividend is paid by check and the check bearing a date within the taxable year is deposited in the mail, in a cover properly stamped and addressed to the shareholder at his last known address, at such time that in the ordinary handling of the mails the check would be received by such holder within the taxable year, a presumption arises that the dividend was paid to such holder in such year. The determination of whether a dividend has been paid to such holder by the corporation during its taxable year is in no way dependent upon the method of accounting regularly employed by the corporation in keeping its books, or upon the method of accounting upon the basis of which the net income of the corporation is computed. For further rules as to the determination of the right to a deduction for dividends paid, under certain specific circumstances, see § 29.27 (b)-2.

(d) *Deduction for amounts allocated from income not derived from patronage.* There is allowable as a deduction from the gross income of a cooperative association operated in compliance with the requirements of section 101 (12) (A) and § 29.101 (12)-1 amounts allocated during the taxable year to patrons with respect to its income not derived from patronage (whether or not such income was derived during such taxable year) whether such amounts are paid in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice, or in some other manner that discloses to each patron the dollar amount allocated to him. For this purpose, allocations made after the close of the taxable year and on or before the 15th day of the ninth month following the close of the taxable year shall be considered as made on the last day of such taxable year to the extent that such allocations are attributable to income derived during the taxable year or during years prior to the taxable year. As used in this paragraph, the term "income not derived from patronage" means incidental income derived from sources not directly related to the marketing, purchasing, or service activities of the cooperative association. For example, income derived

from the lease of premises, from investment in securities, from the sale or exchange of capital assets, constitutes income not derived from patronage. Business done with the United States shall constitute income not derived from patronage. In order that the deduction for income not derived from patronage may be applicable, it is necessary that the amount sought to be deducted be allocated on a patronage basis in proportion, insofar as is practicable, to the amount of business done by or for patrons during the period to which such income is attributable. Thus, if capital gains are realized from the sale or exchange of capital assets acquired and disposed of during the taxable year, income realized from such gains must be allocated to patrons of such year in proportion to the amount of business done by such patrons during the taxable year. Similarly, if capital gains are realized by the association from the sale or exchange of capital assets held for a period of more than one taxable year income realized from such gains must be allocated, in proportion insofar as is practicable, to the patrons of the taxable years during which the asset was owned by the association, and to the amount of business done by such patrons during such taxable years.

§ 29.101 (12)-4 *Patronage dividends, rebates, or refunds; treatment as to cooperative associations entitled to tax treatment under section 101 (12) (B)-*

(a) *General rule.* For taxable years beginning after December 31, 1951, patronage dividends, rebates, or refunds, allocated by a cooperative association entitled to tax treatment under section 101 (12) (B) to a patron shall be taken into account in computing the gross income of such association for the taxable year, as an increase in its other cost of goods sold in the case of an association marketing products for patrons, or as a reduction in its gross receipts, in the case of an association purchasing supplies and equipment or performing services for patrons, as the case may be, if:

(1) The allocation is made in fulfillment and satisfaction of a valid obligation of such association to the patron, which obligation was in existence prior to the receipt by the cooperative association of the amount allocated, and

(2) The allocation is made on or before the 15th day of the ninth month following the close of the taxable year in which the amounts allocated were received by the cooperative association.

For the purpose of subparagraph (1) of this paragraph, amounts allocated by a cooperative association entitled to tax treatment under section 101 (12) (B) will be deemed allocated in fulfillment and satisfaction of a valid enforceable obligation, if made pursuant to provisions of the by-laws, articles of incorporation, or other contract, whereby the association is obligated to make such allocation after the retention of "reasonable reserves" and after payment of dividends on capital stock or other proprietary capital interests. Notwithstanding the provisions of subparagraphs (1) and (2) of this paragraph, amounts

allocated as patronage dividends, rebates, or refunds during the taxable year, or on or before the 15th day of the ninth month following the close of such year, with respect to patronage for years preceding the taxable year, shall be taken into account as an increase in its other cost of goods sold, or as a reduction in gross receipts, for the taxable year, as the case may be, where retention as "reasonable reserves" of the amounts so allocated beyond the year in which earned was proper in accordance with the provisions of section 101 (12) (A) and where the allocation is made to the patron on a patronage basis in proportion insofar as is practicable, to the amount of business done by such patrons during the taxable year or years in which the retained amounts were received by the cooperative association.

(b) *Illustration.*

Example 1. E, a cooperative association entitled to tax treatment under section 101 (12) (B), organized without capital stock, is engaged in the business of marketing products for its patrons on a non-pool basis. The by-laws of cooperative E provide that there shall be allocated to patrons as patronage dividends within a reasonable time following the close of the year all of the gross returns from sales, less expenses of operation for the year and amounts retained as "reasonable reserves" necessary to the operation of cooperative E. At the close of the taxable year, 1952, it is determined that from the gross returns from sales less operating expenses and all taxes for such year, \$5,000 is to be retained as "reasonable reserves" for various necessary purposes of cooperative E. It is assumed that the retention of such amount is proper in accordance with the provisions of section 101 (12) (A). Such \$5,000 is apportioned on the books of cooperative E to patrons of 1952 on a patronage basis, or permanent records are kept from which an apportionment to such patrons can be made. On March 1, 1953, pursuant to the terms of the by-laws \$200,000, the balance of the gross returns for the taxable year is allocated to patrons of 1952 on the basis of patronage. \$100,000 of such \$200,000 is allocated in cash. The remaining \$100,000 is allocated in "retain certificates" bearing no interest and redeemable in the discretion of the Board of Directors of cooperative E.

There may be added to the cost of goods sold by cooperative E for 1952, \$200,000 (\$100,000 in cash, \$100,000 in retain certificates), the total amount allocated as patronage dividends, rebates or refunds in fulfillment and satisfaction of the obligation of the by-laws, on March 1, 1953, before the 15th day of the ninth month following the close of 1952. There may not be added to the cost of goods sold by cooperative E for 1952, \$5,000, the amount retained as reserves apportioned on the books, but not allocated as patronage dividends, rebates, or refunds.

Example 2. The facts are the same as Example 1, it additionally appearing that at the close of 1953 it is determined by Cooperative E to allocate as each patronage dividends, rebates, or refunds to patrons of 1952, \$5,000, the amount retained as "reasonable reserves" for 1952 in accordance with the provisions of section 101 (12) (A). On March 1, 1954, such amount is allocated.

There may be added to the cost of goods sold by Cooperative E for 1953, \$5,000, the amount allocated with respect to patronage of a preceding year, 1952, properly maintained as a reserve under section 101 (12) (A).

PAR. 4. There is inserted immediately after § 29.22 (a)-22 the following:

§ 29.22 (a)—23 *Allocations by cooperative associations; tax treatment as to patrons—(a) In general.* Amounts allocated on the basis of the business done with or for a patron by a cooperative association, whether or not entitled to tax treatment under section 101 (12) (B) in cash, merchandise, capital stock, revolving fund certificates, retain certificates, certificates of indebtedness, letters of advice or in some other manner disclosing to the patron the dollar amount allocated shall be included in the computation of the gross income of such patron for the taxable year in which received to the extent prescribed in paragraph (b) of this section, regardless of whether the amount allocated is deemed, for the purpose of section 101 (12) (B) to be made at the close of a preceding taxable year of the cooperative association. The determination of the extent of taxability of such amounts is in no way dependent upon the method of accounting employed by the patron or upon the basis, cash, accrual or otherwise, upon which the net income of such patron is computed.

(b) *Extent of taxability.* (1) Amounts allocated to a patron on a patronage basis by a cooperative association with respect to products marketed for such patron, or with respect to supplies, equipment, or services the cost of which was deductible by the patron under section 23, shall be included in the computation of the gross income of such patron to the following extent:

(i) If the allocation is in cash, in the amount of cash received.

(ii) If the allocation is in merchandise, to the extent of the fair market value of such merchandise at the time of receipt by the patron.

(iii) If the allocation is in the form of capital stock, revolving fund certificates, certificates of indebtedness, letters of advice, retain certificates or similar documents—

(a) To the extent of the face amount of such documents, if the allocation was made in fulfillment and satisfaction of a valid obligation of such association to the patron, which obligation was in existence prior to the receipt by the cooperative association of the amount allocated. For this purpose, it is immaterial whether such allocation was made within the time required by § 29.101 (12)–4 (a) (2)

(b) To the extent of the face amount of such documents, if the allocation was made with respect to patronage of a year preceding the taxable year from amounts retained as "reasonable reserves" under § 29.101–4 (a)

(c) To the extent of the cash or merchandise received in redemption or satisfaction of such documents (except those which are negotiable instruments) at the time of receipt of such cash or merchandise by the patron, where such allocation was not made in pursuance of the valid obligation referred to in subdivision (a) of this subparagraph, or from amounts retained as "reasonable reserves" under § 29.101 (12)–4 (a) referred to in subdivision (b) of this subparagraph. Where, in such case, the documents allocated are negotiable instruments, such documents shall be in-

cludible in the income of the patron to the extent of their fair market value at the time of their receipt.

(2) Amounts which are allocated on a patronage basis by a cooperative association with respect to supplies, equipment, or services the cost of which was not deductible by the patron under section 23, are not includible in the computation of the gross income of such patron; however, in the case of such amounts which are allocated with respect to capital assets (as defined in section 117 (a) (1)) or property used in the trade or business within the meaning of section 117 (j) shall, to the extent set forth in subdivisions (i) (ii), and (iii) of subparagraph (1) of this paragraph, be taken into account in determining under section 113 the cost or other basis of the assets or property purchased for the patron.

PAR. 5. Section 29.148–4, as added by Treasury Decision 5907, approved May 29, 1952, is amended as follows:

(A) By changing the heading of paragraph (d) thereof to read as follows: "Definitions applicable to distributions for the calendar years 1951 and 1952" and by adding immediately after such heading the following: "In the case of distributions for the calendar years 1951 and 1952, the following terms shall, for the purpose of this section, have the meaning ascribed below"

(B) By striking the words "of this section" in the sentence immediately following the heading of paragraph (e) thereof, which sentence begins with the words "The application of" and inserting in lieu thereof the following: "of paragraph (d) of this section, applicable to distributions for the calendar years 1951 and 1952,"

(C) By inserting immediately after paragraph (e) thereof the following new paragraph:

(f) *Definitions applicable to distributions for the calendar year 1953 and subsequent calendar years.* In the case of distributions for the calendar year 1953, and subsequent calendar years the terms "cooperative association" "patron" "patronage dividends, rebates, and refunds" and "allocation" are defined for the purpose of this section, in § 29.101 (12)–2 (b)

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

Approved: May 29, 1953.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 53–4820; Filed, June 2, 1953;
8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 582—DISCHARGE OR SEPARATION FROM SERVICE

DISCHARGE FOR CONVENIENCE OF GOVERNMENT; CATEGORIES FOR WHICH AUTHORIZED

In § 582.3 paragraph (b) is rescinded and the following substituted therefor:

§ 582.3 *Discharge for convenience of the Government.* * * *

(b) *Categories for which authorized.* Except as otherwise indicated, the Secretary of the Army has delegated to commanders the authority to order enlisted personnel discharged or released from the active military service for the convenience of the Government for the following reasons:

(1) To dispose of cases involving an individual's claim that prior to induction he was denied a procedural right as provided by the Universal Military Training and Service Act, as amended by the act 19 June 1951 (65 Stat. 75; 50 U. S. C. App., Sup. V 451 et seq.) and was therefore erroneously inducted. All requests for discharge under this provision will be forwarded to the officer having discharge authority and by him to the Director, Selective Service System, Washington 25, D. C., for his recommendation. The officer having discharge authority will discharge the individual or retain him in the service in accordance with the recommendation made by the Director of Selective Service.

(2) To dispose of cases involving aliens residing in the United States illegally who do not conceal their true citizenship status at time of enlistment or induction. Such individuals will be reported to the nearest office of the Immigration and Naturalization Service and will be discharged for the convenience of the Government. The form of discharge certificate furnished will be that to which the service rendered by the individual after enlistment or induction will entitle him. The specific reason for discharge will be shown on the certificate of discharge as "Alien without legal residence in the United States." It is not the intent of this section to preclude the discharge of these individuals under the provisions of AR 615–368 (Army regulations pertaining to discharge for unfitness) or AR 615–369 (Army regulations pertaining to discharge for inaptitude or unsuitability), if appropriate.

[C3, AR 615–365, May 15, 1953] (R. S. 101;
5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53–4818; Filed, June 2, 1953;
8:52 a. m.]

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1459—COSTS ALLOCABLE TO AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

LOSSES; COSTS INCIDENT TO DISCONTINUANCE OF A RENEGOTIABLE OPERATION

1. Section 1459.5 *Losses* is amended by adding a new paragraph (b) to read as follows:

(b) *Losses with respect to certain tangible property and land—(1) What this paragraph does.* This paragraph explains the circumstances under which a

contractor may claim, as a cost of performing renegotiable business, losses resulting from the sale or disposition of, or damage to, certain tangible property and land. This paragraph also treats costs related to such losses. This paragraph does not affect the allocation to renegotiable business of losses with respect to other kinds of property (inventories, patents, etc.) which may be used in performing renegotiable business.

(2) *Kinds of property.* This paragraph applies to the following kinds of property when used in performing renegotiable prime contracts and subcontracts:

(i) Tangible property with respect to which depreciation is allowable under section 23 (1) of the Internal Revenue Code;

(ii) Emergency facilities with respect to which amortization is allowable under section 124A of such Code; and

(iii) Land other than an emergency facility.

(3) *What losses are dealt with.* The following losses and related costs with respect to the kinds of property described in subparagraph (2) of this paragraph are allocable to renegotiable business to the extent provided in subparagraph (5) of this paragraph:

(i) Losses resulting from the sale or exchange, and from the compulsory or involuntary conversion (as a result of destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation or threat or imminence thereof) of such property to the extent that such losses may be properly included in the computation under section 117 (j) of the Internal Revenue Code for the fiscal year or, in the case of losses which may not be so included for the reason that the property involved was not held for more than 6 months, to the extent that such losses are taken into account in the computation of net income under such Code for the fiscal year;

(ii) Losses with respect to such property, other than from sales, exchanges and conversions, to the extent that such losses are deductible under section 23 (e) or 23 (f) of such Code for the fiscal year; and

(iii) Related costs of disposing of such property, such as costs of moving, dismantling, demolishing, protecting, storing and selling, if the expenditure of such costs contributes to minimizing the loss upon disposition of such property, to the extent that such costs are deductible under such Code for the fiscal year. Such costs shall be added to and considered part of each related loss for the purpose of allocation under subparagraph (5) of this paragraph.

(4) *What gains are considered in allocating losses.* Gains upon the sale or exchange, and from the compulsory or involuntary conversion, of property of the character described in subparagraph (2) of this paragraph are not renegotiable income but are used to offset losses under subparagraph (5) of this paragraph. Such gains include (i) those which may be properly included in the computation under section 117 (j) of the

Internal Revenue Code for the fiscal year or, in the case of gains which may not be so included for the reason that the property involved was not held for more than six months, those which are taken into account in the computation of gross income under such Code for the fiscal year; and (ii) gains described in section 117 (g) (3) and in section 117 (o) of such Code: *Provided, however* That related costs of disposing of such property, as described in subparagraph (3) of this paragraph, shall be deducted from the amounts of such gains on respective items of property, and the net amount, if any, shall be considered the whole of the gain with respect to each such item of property for the purpose of subparagraph (5) of this paragraph.

(5) *How to allocate losses to renegotiable business.* (i) Losses will be allocated to renegotiable business to the extent that the sum of the renegotiable portions thereof exceeds the sum of the renegotiable portions of gains: *Provided, however* That gains in respect of land other than an emergency facility will be considered only to the extent of the renegotiable portions of losses in respect of such property. The renegotiable portions of losses and gains shall be determined in accordance with subdivision (ii) or (iii) as the case may be, of this subparagraph.

(ii) The renegotiable portion of a loss or gain with respect to depreciable or amortizable property is that portion which bears the same ratio to the whole of such loss or gain as the aggregate amount of depreciation or amortization on such property allocable to renegotiable business under the 1951 act and prior renegotiation statutes for all fiscal years of the contractor to the date of such loss or gain bears to the total amount of depreciation or amortization on such property allowable under section 23 (1) or 124A of the Internal Revenue Code, as the case may be, for all taxable years of the contractor to the date of such loss or gain.

(iii) The renegotiable portion of a loss or gain with respect to land other than an emergency facility is determined as follows:

(a) Allot an equal share of the loss or gain to each fiscal year beginning with the year of acquisition and including the year of the loss or gain;

(b) For each such fiscal year, determine approximately the percentage of use of the land in performing prime contracts and subcontracts subject to the 1948 and 1951 acts;

(c) Apply the appropriate percentage of use to each share determined under step (a) of this subdivision; and

(d) Add the amounts determined under step (c) of this subdivision. The sum of such amount is the renegotiable portion of the loss or gain.

2. A new § 1459.10 is added to read as follows:

§ 1459.10 *Costs incident to discontinuance of a renegotiable operation—(a) In general.* Costs paid or incurred upon the physical termination of a renegotiable operation will be allocated to renegotiable business to the extent provided in this section. The term "renegotiable operation", as used in this section, means an operation which constitutes the performance, in whole or in part, of one or more renegotiable prime contracts or subcontracts.

(b) *Inventories and certain other tangible property.* (1) The following losses and costs will be allocated to renegotiable business to the extent provided in subparagraph (2) of this paragraph:

(i) Losses established through the writedown or sale of, and costs of protecting and handling inventories acquired for the purposes of, and reasonably necessary for the performance of a renegotiable operation; and

(ii) A portion of the costs of moving, dismantling, demolishing, protecting, storing, or disposing of tangible property, the original cost of which was deducted as an expense rather than treated as a capital expenditure, which portion shall be determined on the basis of the use of the property in the performance of a renegotiable operation.

(2) Losses and costs under this paragraph are allocable to renegotiable business to the extent that the sum thereof exceeds the sum of non-renegotiable gains and other income from the sale or other disposition of inventories or other tangible property of the character described in subparagraph (1) of this paragraph. The amounts of such gains and other income shall be determined in the same manner as losses and costs are determined under said subparagraph (1).

(c) *Severance pay.* Payments made upon separation of employees, which payments are required by law, contract or the custom of the business, are allocable to renegotiable business to the extent that salaries and wages of such employees were allocable thereto under the provisions of §§ 1459.1 (b) and 1459.2 and paragraph (f) of this section during the period of time immediately preceding separation which is equal to the average tenure of the separated employees.

(d) *Other costs and expenses.* The following costs are allocable to renegotiable business for a reasonable time after discontinuance of a renegotiable operation to the extent justified under the circumstances of each case:

(1) Amortization, depreciation and maintenance costs with respect to property used in the performance of such discontinued renegotiable operation;

(2) Rentals or other payments required to be made as a condition to the continued use or possession for purposes of the trade or business, of property to which the contractor has not taken or is not taking title or in which he has no equity, which property was used in the performance of such discontinued renegotiable operation; and

(3) Overhead and other expenses continuing after the discontinuance of such renegotiable operation, such as executives' and officers' salaries, maintenance wages, utilities and insurance, which were allocable to renegotiable business in

TITLE 32A—NATIONAL DEFENSE,

APPENDIX

whole or in part immediately preceding discontinuance

(e) *Reconversion* Costs of establishing or re-establishing commercial operations are not costs of performing negotiable business and are not allocable thereto as costs incident to discontinuance of a renegotiable operation or otherwise. However, costs incident to such discontinuance will be allowed as provided in this section with respect to a renegotiable operation converted or reconverted to commercial uses to the extent that such costs necessarily result from the physical termination of the renegotiable operation and are plainly distinguishable from the costs of converting to the commercial operation (Sec 109 65 Stat 22; 50 U S C App Sup 1219)

Dated: May 29, 1953

NATHAN BASS
Secretary

[F R Doc 53-4791; Filed June 2 1953; 8:46 a m]

These amendments decontrol the following based on resolutions submitted under section 204 (j) (3) of the act:

The Borough of Brooklawn in Camden County New Jersey a portion of the Southern New Jersey Defense-Rental Area;

The Goldsboro Defense Rental Area in the State of North Carolina; and

The City of Norwood in Hamilton County Ohio a portion of the Cincinnati Defense-Rental Area.

[F R Doc 53-4821; Filed June 2 1953; 8:53 a m]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

NEW JERSEY NORTH CAROLINA AND OHIO

Effective June 3, 1953 Rent Regulation 1 and Rent Regulation 2 are amended so that the items indicated below of Schedules A read as set forth below

(Sec 204 61 Stat. 197 as amended; 50 U S C App Sup 1894)

Issued this 29th day of May 1953

GLENWOOD J SHERRARD
Director of Rent Stabilization

State and name of defense rental area	Class	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
New Jersey (183a) Southern New Jersey	B	In CAMDEN COUNTY, the cities of Camden and Gloucester City, the townships of Berlin, Gloucester, Haddon, Voorhes, and Winslow, the boroughs of Audubon Park, Bellmawr, Berlin, Chesilhurst, Clementon, Collingswood, Gibbstown, Hi-Nella, Lawnside, Lindenwald, Magnolia Mount Ephraim, Oaklyn, Pine Hill, Rummel, Somerdale, Stratford and Wood Lynne, and all unincorporated localities in Camden County except those in the boroughs of Audubon, Brooklawn, Haddonfield, Haddon Heights, and Merchantville, and the township of Pennsauken; in GLOUCESTER COUNTY, the city of Woodbury, the townships of Elk, Deptford, Greenwich, and West Deptford, the boroughs of Clayton, Glassboro, National Park, Paulsboro, Swedesboro and Wenonah and all unincorporated localities.	Mar 1, 1942	July 1 1942
North Carolina (216)	B	In CUMBERLAND COUNTY, the cities of MILL ville and Vineland, and all unincorporated localities in the borough of Vineland and the township of Lands	do	Dec 1 1942
Ohio (227) Cincinnati	B	[Revoked and decontrolled.]	do	Nov. 1, 1942
	B	In OHIO: in BUTLER COUNTY, the city of Hamilton, the villages of Jacksonburg, New Miami and Seven Mile; in CLERMONT COUNTY, the villages of Amelia and Bethel; in HAMILTON COUNTY, the cities of Lincoln Heights, Reading, and St. Bernard, and the villages of Addison, Mardmont, Sharonville, and Terrace Park.	do	Do.
	B	In KENTUCKY: in CAMPBELL COUNTY, the cities of Fenton, Dayton, and Newport; in KENTON COUNTY, the cities of Edgewood, Ludlow and Winslow Park.	do	Do.

Effective June 3 1953 Rent Regulation 3 and Rent Regulation 4 are amended so that item 127 of Schedules A reads as set forth below (Sec 204 61 Stat 197 as amended; 50 U S C App Sup 1894)

Issued this 29th day of May 1953

GLENWOOD J SHERRARD,
Director of Rent Stabilization

Name of defense rental area	State	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
(127) Paducah	Kentucky	BALLARD and McCRACKEN MASSACHUSETTS, magisterial districts 5 6 7 and 8	Jan 1 1951 do do	Oct. 17 1951 Do, Jan 16 1952

These amendments decontrol the following on the initiative of the Director of Rent Stabilization under section 204 (c) of the act:

The Township of Vienna including the City of Vienna in Johnson County Illinois a portion of the Paducah Defense-Rental Area

[F. R Doc 53-4822; Filed June 2 1953; 8:54 a m]

Sec 5 Area rent office "Area rent office means the office of the Area Rent Director for the defense-rental area

2 Section 201 is amended as follows:

a The words 'to the area rent office and' which appear in section 201 (a) are deleted

b The last sentence of section 201 (b) is revoked and deleted.

c. Section 201 (e) is revoked and deleted.

[F R Doc 53-4841; Filed, June 1, 1953; 1:19 p m.]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

RR 4—MOTOR COURTS

MISCELLANEOUS AMENDMENTS

Effective June 1, 1953 Rent Regulation 1 Rent Regulation 2 and Rent Regulation 4 are amended as set forth below

[Rent Regulation 3, Amdt. 11]

RR 3—HOTELS

MISCELLANEOUS AMENDMENTS

Effective June 1, 1953, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 1st day of June-1953.

GLENWOOD J. SHERRARD,
Director of Rent Stabilization.

1. Section 5 is amended to read as follows:

Sec. 5. *Area rent office.* "Area rent office" means the office of the Area Rent Director for the defense-rental area.

2. Section 101 is amended as follows:

a. The words "to the area rent office and" which appear in section 101 (a) are deleted.

b. The last sentence of section 101 (b) is revoked and deleted.

3. Section 103 is revoked and deleted.

[F. R. Doc. 53-4842; Filed, June 1, 1953; 1:19 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter A—General

[CGFR 53-18]

PART 17—UNITED STATES COAST GUARD GENERAL GIFT FUND

ACCEPTANCE, ADMINISTRATION, AND DISBURSEMENT OF GIFTS

The act of March 11, 1948 (secs. 1 to 4, 62 Stat. 71, 72; 5 U. S. C. 150q-150t) provided for the establishment of a "United States Coast Guard General Gift Fund." The purpose of the following new regulations is to provide authority for the acceptance, administration, and expenditure of any gift, devise, or bequest of property, real or personal, made on condition that it be used for the benefit of, or in connection with, the establishment, operation, maintenance, or administration of any school, hospital, library, museum, or other institution or organization under the jurisdiction of the United States Coast Guard, and to carry out the purposes and intent of the act of March 11, 1948.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 167-1, dated January 16, 1953 (18 F. R. 671) and in compliance with the statutes cited below, the following rules and regulations are prescribed and shall be added to Chapter I, 33 CFR, as Part 17 and shall become effective on and after the date of publication of this document in the FEDERAL REGISTER:

SUBPART 17.01—GENERAL PROVISIONS

Sec.

17.01-1 Basis and purpose.

17.01-10 Authority to receive gifts.

SUBPART 17.05—ADMINISTRATION

17.05-1 Gifts.

17.05-5 Acceptance and disbursement of gifts.

17.05-10 Instructions for administration.

AUTHORITY: §§ 17.01-1 to 17.05-10 issued under sec. 1, 63 Stat. 503, 545, as amended; 14 U. S. C. 92, 633. Interpret or apply secs. 1 to 4, 62 Stat. 71, 72; 5 U. S. C. 150q-150t.

SUBPART 17.01—GENERAL PROVISIONS

§ 17.01-1 *Basis and purpose.* In accordance with the act of March 11, 1948 (secs. 1 to 4, 62 Stat. 71, 72; 5 U. S. C. 150q-150t) and Treasury Department Order No. 167-1, dated January 16, 1953 (18 F. R. 671) the regulations in this part are hereby prescribed to provide for the acceptance and subsequent use of gifts, devises, or bequests of property, real or personal, made on the condition that they be used for the benefit of, or in connection with, the establishment, operation, maintenance, or administration of any school, hospital, library, museum, or other institution or organization under the jurisdiction of the United States Coast Guard.

§ 17.01-10 *Authority to receive gifts.*

(a) The Commandant, United States Coast Guard, may accept, receive, hold, or administer gifts, devises, or bequests of property, real or personal, made on the condition that they be used for the benefit of, or in connection with, the establishment, operation, maintenance, or administration of any school, hospital, library, museum, or other institution or organization under the jurisdiction of the United States Coast Guard. The Commandant is authorized to pay all necessary fees, charges, and expenses in connection with the conveyance or transfer of any such gifts, devises, or bequests.

(b) The Commandant may authorize or designate officers of the United States Coast Guard to accept gifts, devises, or bequests.

SUBPART 17.05—ADMINISTRATION

§ 17.05-1 *Gifts.* The gifts or bequests may be in money or negotiable instrument form. If in the form of a money order, check, etc., it should be made payable to the Treasurer of the United States.

§ 17.05-5 *Acceptance and disbursement of gifts.* (a) The immediate receiving person shall give a proper receipt on the proper form used by the United States Coast Guard to acknowledge receipt of collections to the donor of a gift or bequest of money or for the proceeds from a sale of property received as a gift or devise.

(b) Gifts or bequests of money, or the proceeds from sales of property received as gifts or devises shall be deposited in the Treasury of the United States under symbol and title "20X8533—United States Coast Guard, General Gift Fund." Funds so deposited shall be subject to disbursement by or at the direction of the Commandant, United States Coast Guard, for the benefit or use of the designated school, hospital, library, museum, or other institution or organization under the jurisdiction of the United States Coast Guard subject to the terms of the particular gift, devise, or bequest.

(c) Section 3 of the act of March 11, 1948 (5 U. S. C. 150s), states that any gift, devise, or bequest of property, real or personal, accepted in accordance with

that act shall be deemed to be a gift, devise, or bequest to or for the use of the United States for the purpose of Federal income, estate, and gift taxes.

§ 17.05-10 *Instructions for administration.* The Commandant, United States Coast Guard, will issue such detailed instructions as may be necessary for the administration of the "United States Coast Guard General Gift Fund" or for the acceptance, operation, or maintenance of property, real or personal, that may be accepted for the benefit of or in connection with any school, hospital, library, museum, or other institution or organization under the jurisdiction of the United States Coast Guard subject to the terms and conditions of any particular gift, devise, or bequest.

Dated: May 28, 1953.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 53-4819; Filed, June 2, 1953; 8:53 a. m.]

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

SAN FRANCISCO BAY AND CONNECTING WATERS, CALIFORNIA

Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), paragraph (h) of § 202.224 is hereby prescribed establishing and governing the use and navigation of a restricted anchorage area in the Sacramento River, adjacent to the northeast shore of Decker Island, as follows:

§ 202.224 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River, and connecting waters, Calif.* * * *

(h) *Sacramento River, Decker Island; restricted anchorage for vessels of the United States Government.*—(1) *The anchorage ground.* An elongated area in the waters of the Sacramento River adjacent to the northeast shore of Decker Island within the following boundaries: Beginning at Sacramento River Light 4, Fl. R., at the northerly tip of Decker Island, thence 90° 350 feet; thence 180° 1,900 feet; thence 184° 2,450 feet; thence 186° 30', 1,350 feet; thence 209° 1,400 feet; thence 231° 1,150 feet; thence 330° to shore; thence with the shore to the point of beginning.

(2) *The regulations.* No vessel or other craft except those owned by or operating under contract with the United States shall navigate or anchor within fifty feet of any moored Government vessel in the area. Commercial and pleasure craft shall not moor to buoys or chains of Government vessels, nor shall they, while moored or underway, unreasonably obstruct the passage of Government or other vessels through the area.

(3) The regulations in this paragraph shall be enforced by the Commanding General, San Francisco Port of Embarkation, Fort Mason, California, or his authorized representative.

[Regs., May 14, 1953, 800.2121 (San Francisco Bay, California) ENGWO] (38 Stat. 1053; 33 U. S. C. 471)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-4817; Filed, June 2, 1953; 8:52 a. m.]

PART 203—BRIDGE REGULATIONS

TAUNTON RIVER, MAINE

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499) § 203.3 is hereby prescribed to provide for the operation of the highway bridge across Taunton River between Hancock and Sullivan, Maine, as follows:

§ 203.3 *Taunton River Maine; Maine State Highway Commission highway bridge between Hancock and Sullivan.*

(a) The owner of or agency controlling this bridge will not be required to keep draw tenders in constant attendance.

(b) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw, at least 48 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge, except as provided in paragraph (c) of this section. Advance notice as required by this paragraph shall be given either in person, by telephone, or otherwise to the Maine State Highway Commission, Augusta, Maine, or Ellsworth, Maine, or to such person or persons as may be designated an authorized representative.

(c) In case of emergency, the draw shall be opened promptly upon notification. For this purpose the owner of or agency controlling the bridge shall provide arrangements whereby the draw tender can be readily reached by telephone or otherwise at any hour of the day or night.

(d) Upon receipt of such notice, the authorized representative of the owner of or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw, at the

time specified in the notice for the passage of the vessel.

(e) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such manner that it can be easily read at any time, a copy of the regulations in this section, together with a notice stating exactly how the draw tender may be reached in an emergency and how the authorized representative may be reached by telephone or otherwise.

(f) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw shall be opened and closed at intervals frequent enough to make certain the machinery is in proper order for satisfactory operation.

[Regs., May 11, 1953, 823 (Taunton River, Maine)-ENGWO] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-4816; Filed, June 2, 1953; 8:51 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 27—LETTER, CALL, AND LOCK BOXES, AND KEY DEPOSITS

BOX-RENT RATES

In § 27.6 *Box-rent rates* amend paragraph (a) to read as follows:

(a) *Schedule.* Effective July 1, 1953, and July 1 of each succeeding year when necessary, postmasters shall adjust box-rent rates at post offices, branches and stations on the basis of gross postal receipts for the preceding calendar year in accordance with the following schedule unless an exception is authorized by the Assistant Postmaster General, Bureau of Finance. Total gross postal receipts shall be used as the basis for fixing the box-rent rates at the main post office. Gross postal receipts at the individual stations and branches shall be used in fixing the rental rates of boxes located therein.

POST OFFICE BOX RENTAL RATES

Gross receipts of post office	Rate per quarter						
	Call boxes		Lock boxes and drawers				
	No. 1	No. 2	No. 1	No. 2	No. 3	No. 4	No. 5
Less than \$500.....	\$0.15	\$0.20	\$0.30	\$0.35	\$0.50	\$0.65	\$0.90
\$500 and less than \$1,000.....	.20	.30	.35	.50	.65	.90	1.10
\$1,000 and less than \$5,000.....	.30	.35	.50	.65	.90	1.10	1.50
\$5,000 and less than \$10,000.....	.35	.50	.65	.90	1.10	1.50	2.25
\$10,000 and less than \$40,000.....	.50	.65	.90	1.10	1.50	2.25	3.00
\$40,000 and less than \$100,000.....	.65	.90	1.10	1.50	2.25	3.00	4.50
\$100,000 and less than \$300,000.....	.90	1.10	1.50	2.25	3.00	4.50	6.00
\$300,000 and less than \$1,000,000.....	1.10	1.50	2.25	3.00	4.50	6.00	7.50
\$1,000,000 and less than \$5,000,000.....	1.50	2.25	3.00	4.50	6.00	7.50	9.00
\$5,000,000 and less than \$15,000,000.....	2.25	3.00	4.50	6.00	7.50	9.00	10.50
\$15,000,000 and upward.....	3.00	4.50	6.00	7.50	9.00	10.50	12.00

No. 1. Less than 225 cubic inches in capacity.
No. 2. Capacity 225 cubic inches and less than 500 cubic inches.
No. 3. Capacity 500 cubic inches and less than 900 cubic inches.
No. 4. Capacity 900 cubic inches and less than 3,000 cubic inches.
No. 5. Capacity 3,000 cubic inches and upward.

[R. S. 161, 396, 3901, 4052; sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 279, 369, 39 U. S. C. 785)

[SEAL]

ROSS RIZLEY,
Solicitor

[F. R. Doc. 53-4790; Filed, June 2, 1953; 8:45 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

EXPORT DECLARATIONS

In § 127.85 *Export declarations* amend paragraph (h) to read as follows:

(h) In accordance with the export control regulations of the Office of International Trade, Department of Commerce, exporters of merchandise requiring validated export licenses must place the number of the license on the wrapper of each parcel or package.

(1) If the entire amount authorized by a validated license is mailed at one time, the sender must surrender the license at the post office at the time of mailing. The accepting employee will verify the contents as declared by the sender and as shown on the license, and if no discrepancy is noted will accept the parcel for mailing, take the license from the mailer, endorse the license on the back with the word "completed," and apply a legible postmark showing the date and place of mailing. The license is to be transmitted under official cover to the Office of International Trade, Department of Commerce, Washington 25, D. C.

(2) If only a part of the licensed shipment is to be mailed, the exporter will deposit the validated license with a collector of customs, and surrender at the post office in lieu thereof an extra copy of the shipper's export declaration (Commerce Form 7525-V) bearing the number of the license and an authorization dated and signed by the Collector of Customs or his representative for the shipment of the goods listed on the declaration. The accepting employee will verify the contents as declared by the sender and as listed on the declaration, and if no discrepancy is noted will accept the parcel for mailing, take the declaration from the mailer, postmark it and send it to the Office of International Trade, Department of Commerce, Washington 25, D. C.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL]

ROSS RIZLEY,
Solicitor

[F. R. Doc. 53-4789; Filed, June 2, 1953; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Rev. S. O. 866, Amdt. 7]

PART 95—CAR SERVICE

RAILROAD OPERATING REGULATIONS FOR FREIGHT CAR MOVEMENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of May A. D. 1953.

Upon further consideration of the provisions of Revised Service Order No. 866 (15 F. R. 6198, 6256, 6573; 16 F. R. 2894, 13102; 16 F. R. 2765, 3458, 4949; 18 F. R. 1858, 2084) and good cause appearing therefor: It is ordered, that:

Section 95.866 *Railroad operating regulations for freight car movement* of Revised Service Order No. 866 be, and it is hereby, amended by substituting the following paragraph (b) (3) hereof for paragraph (b) (3) thereof:

(3) When computing the periods of time provided in this section, exclude Sundays and such holidays as are listed in Item No. 25, Agent L. C. Schuldt's Demurrage Tariff I. C. C. 4550 or reissues thereof, only when they occur within the said periods of time, but not after.

It is further ordered, that this amendment shall vacate Amendment No. 6 and shall become effective at 11:59 p. m., May 31, 1953; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-4812; Filed, June 2, 1953;
8:51 a. m.]

Subchapter B—Carriers by Motor Vehicles
[Ex Parte MC-40]

PART 193—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

FRONT BRAKE LINE PROTECTION ON BUSES

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 18th day of May A. D. 1953.

The matter of parts and accessories necessary for safe operation under the motor carrier safety regulations prescribed by order dated April 14, 1952, being under consideration; and

It appearing, that continuing study and investigation has established facts which warrant some modification of § 193.44, which deals with front brake line protection on buses; and good cause appearing therefor:

It is ordered, That § 193.44 *Front brake lines, protection* be amended as follows: In the first sentence after the date "June 30, 1954" insert "except those being transported in driveaway-towaway operations,"

It is further ordered, That this order shall become effective on the date hereof, and shall continue in effect until the further order of the Commission.

Notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy thereof with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304)

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-4811; Filed, June 2, 1953;
8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

19 CFR Parts 17, 28 I

MEAT INSPECTION REGULATIONS

CORNERD BEEF HASH

Notice is hereby given, in accordance with the provisions of section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the authority conferred upon him by the Meat Inspection Act, as amended (21 U. S. C. 71-91) and section 306 of the Tariff Act of 1930 (19 U. S. C. 1306) is considering amending the Meat Inspection Regulations (9 CFR, Chapter I, Subchapter A) as follows:

1. Subparagraph (29) of paragraph (c) § 17.8, would be amended to read:

(29) Product labeled "hash" shall contain not less than 35 percent of meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the weight of the uncooked fresh meat.

2. Part 28 would be amended by adding the following section:

§ 28.2 *Corned beef hash, identity; label statement of optional ingredients.*

(a) Corned beef hash is the semi-solid meat food product in the form of a compact mass which is prepared with beef, potatoes, curing agents, and seasoning in accordance with the provisions contained in subparagraphs (1) (2) (3) and (4) of this paragraph, and any of the optional ingredients listed under paragraph (b) of this section.

(1) Either fresh beef, cured beef, or canned corned beef, or a mixture of two or more of these ingredients, may be used, and the finished product shall contain not less than 35 percent of beef computed on the weight of the cooked and trimmed beef. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the weight of the uncooked fresh meat. Corned beef hash shall not be made with beef which, in the aggregate for each lot, contains more than 30 percent trimmable fat, that is, fat which can be removed by thorough, practical trimming and sorting.

(2) Potatoes refers to fresh potatoes, dehydrated potatoes, cooked dehydrated potatoes, or a mixture of two or more of these ingredients.

(3) Curing agents refers to sodium nitrate, sodium nitrite, potassium nitrate, and potassium nitrite, or a combination of two or more of these ingredients, in amounts not exceeding those specified in § 18.7 (k) of this subchapter.

(4) Seasoning refers to salt, sugar (sucrose or dextrose), spice, and/or flavoring, including essential oils, oleoresins, and other spice extractives.

(b) Corned beef hash may contain one or more of the following optional ingredients:

(1) Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5 percent of the meat ingredient.

(2) Onions, including fresh onions, dehydrated onions, or onion powder.

(3) Garlic, including fresh garlic, dehydrated garlic, or garlic powder.

(4) Water.

(5) Beef broth or beef stock.

(6) Monosodium glutamate.

(7) Hydrolyzed plant protein.

(c) (1) The label shall bear the name "corned beef hash"

(2) When any ingredient specified in paragraph (b) (1) of this section is used, the label shall bear the following applicable statement: Beef cheek meat constitutes 5 percent of the meat ingredient, or beef head meat constitutes 5 percent of the meat ingredient, or beef heart meat constitutes 5 percent of the meat ingredient. When two or more of the ingredients are used the words "constitutes 5 percent of meat ingredient" need only appear once.

(3) Whenever the words "corned beef hash" are featured on the label so conspicuously as to identify the contents, the statements prescribed in subparagraph (2) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed, or other graphic matter.

The purpose of the foregoing amendments is to control the composition of "corned beef hash" along lines which have been thoroughly investigated by the officials who administer the Meat Inspection activities of the Department of Agriculture. The amendments which provide a definition and standard of identity for corned beef hash also permit simplified labeling which will allow the industry to omit ingredient labeling for this class of product.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Chief, Meat Inspection, Bureau of Animal Industry, Agricultural Research Administration,

United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 28th day of May 1953.

[SEAL]

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-4803; Filed, June 2, 1953;
8:49 a. m.]

Production and Marketing Administration

[P. & S. Docket No. 308]

MARKET AGENCIES AT SIOUX CITY STOCK
YARDS, SIOUX CITY, IOWA, RESPOND-
ENTS

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) an order was issued on March 24, 1953 (12 A. D. 245) continuing in effect to and including June 30, 1953, the order of March 26, 1952 (11 A. D. 283) which authorized respondents to file and put into effect the current temporary schedule of rates and charges.

By petition filed on May 27, 1953, respondents have requested authority to modify the current schedule of rates and charges in certain respects and to continue assessing the current schedule as so modified for a period of two years beginning on July 1, 1953. The modifications requested are as follows:

SECTION A

	Present rate (per head)	Proposed rate (per head)
Calves:		
Consignments of 1 head and 1 head only	\$0.80	\$0.85
Consignments of more than 1 head:		
First 5 head in each consignment	.70	.75
Next 10 head in each consignment	.65	.70
Each head over 15 in each consignment	.55	.60

SECTION B

	Present rate (per head)	Proposed rate (per head)
Hogs, irrespective of manner of arrival:		
Consignments of 1 head and 1 head only	\$0.60	\$0.65
Consignments of more than 1 head:		
First 10 head in each consignment	.41	.43
Next 15 head in each consignment	.36	.38
Each head over 25 in each consignment	.31	.33
Boars, cripples or subjects	.80	.85

The proposed rates and charges, if authorized, will produce additional revenue for the respondent market agencies and increase the cost of marketing livestock. It appears, therefore, that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 29th day of May 1953.

[SEAL]

AGNES B. CLARKE,
Hearing Clerk.

[F. R. Doc. 53-4827; Filed, June 2, 1953;
8:55 a. m.]

[7 CFR Part 927]

[Docket No. AO 71-A-24]

HANDLING OF MILK IN NEW YORK METRO-
POLITAN MILK MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING OF BRIEFS

A public hearing on proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area was concluded on May 6, 1953. Before the close of the hearing, an order was entered permitting interested parties to file briefs on or before June 10, 1953.

On May 21, 1953, a lawyer's committee consisting of Edmund F. Cooke, Alexander Foster, and Frank B. Lent, representing 79 cooperative associations listed in the hearing record, filed an application for an extension of time, without date, for the filing of briefs in reference to certain proposals considered at the hearing and involving questions since referred for study to a committee pursuant to announcement made on May 14, 1953, by C. Chester DuMond, New York State Commissioner of Agriculture and Markets and Howard H. Gordon, Administrator of the Production and Marketing Administration, United States Department of Agriculture. I. Elkin Nathens, representing Milfin Creamery Company, Inc. and others, filed a similar application.

These applications have been considered, and an extension of time is granted for the filing of briefs on those proposals considered at the hearing which relate to (1) transportation and location differentials applicable in fixing the minimum class prices paid by handlers, (2) transportation and location differentials applicable to the uniform price paid to farmers, and (3) provisions for determining what plants and farmers are to be subject to the pricing and market-wide equalization provisions of the order. These proposals as set forth in the notices of hearing issued on January 8, 1953 (18 F. R. 256) and February 27, 1953 (18 F. R. 1249) are proposals numbered 1, 2, 8, 10, 12, 14, 16, 17, 24, 25, and 33. As to these proposals no time is fixed for the filing of briefs. When a time is fixed therefor, notice will be given in the FEDERAL REGISTER stating the time within which such briefs may be filed.

As to all other matters considered at the hearing, the time for filing briefs has

not been extended and therefore continues to be on or before June 10, 1953.

Applications were also filed by the same parties to reopen the hearing for the purpose of incorporating in the record the report of said committee. No ruling on such application is made at this time.

Filed at Washington, D. C., this 28th day of May 1953.

[SEAL]

GLEN J. GIFFORD,
Presiding Officer

[F. R. Doc. 53-4825; Filed, June 2, 1953;
8:55 a. m.]

[7 CFR Part 974]

[Docket No. AO-176-A10]

HANDLING OF MILK IN COLUMBUS, OHIO,
MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMEND- MENTS TO TENTATIVE MARKETING AGREE- MENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of a public hearing to be conducted at the Southern Hotel, South High and Main Streets, Columbus, Ohio, beginning at 10:00 a. m., e. s. t., on June 8, 1953, for the purpose of receiving evidence with respect to the following proposed amendments, or appropriate modifications thereof, to the order, as amended, regulating the handling of milk in the Columbus, Ohio, marketing area (7 CFR Part 974). These amendments have not been approved by the Secretary of Agriculture.

Proposed by Allen Milk Company, Borden's Hamilton Milk Company, Borden's Moores & Ross, Distelhorst Milk & Ice Cream Company, Fairmont Foods Company, H. L. Gabel and Son Dairy, Isaly's, Inc., A. Keller & Son Dairy, McClish Dairy Products, Model Dairy Products Company, Pallet Milk Company, Pestel Milk Company, Timmons Dairy, Westerville Creamery Company, Wetherell Dairy and Young's Dairy (Diamond Milk Products, Inc., joins in all of the following proposals except proposals 7, 8, and 10)

1. Amend § 974.9 by striking the two words "an emergency" and inserting in lieu thereof "a"

2. Amend § 974.41 (b) (1) by striking therefrom "frozen cream,"

3. Amend § 974.41 (b) (2) by striking therefrom the following: "condensed milk and condensed skim milk (except evaporated milk or skim milk in hermetically sealed cans) ice cream, ice cream mix, ice cream novelties, ice sherbets, or imitation ice cream"

4. a. Amend § 974.41 by inserting a new paragraph between 974.41 (b) (3) and 974.41 (c) which paragraph shall read as follows:

(c) Class III milk shall be all skim milk and butterfat used to produce

frozen cream, condensed milk and condensed skim milk (except evaporated milk or skim milk in hermetically sealed cans), ice cream, ice cream mix, ice cream novelties, ice sherbets, or imitation ice cream.

b. In the same section convert the paragraph symbol "(c)" to "(d)" and in what is now paragraph "(c)" and which will become "(d)" change "Class III" to "Class IV" and in said paragraph in (1) insert "and (c)" after "(a) (1) and (2) and (b)"

5. Amend § 974.45 (b) by striking therefrom the words "an emergency" and inserting in lieu thereof "a"

6. Amend § 974.45 (e) by striking all of the language in the present paragraph and inserting in lieu thereof the following:

(e) Subtracting from the classes where used, the skim milk and butterfat, respectively, received as other source milk under a permit in writing issued by the appropriate health authorities in the marketing area;

7. Amend § 974.51 by striking all of "(a)" including "(a) (1)", "(a) (2)" and "(a) (3)" and inserting in lieu thereof the following:

(a) Add to the basic formula price the following amount for the month indicated: April, May, June, and July, \$1.10; and all others \$1.20: *Provided*, That the price of Class I milk for any of the months of October through December, inclusive, shall not be lower than the arithmetical average of the prices computed for such class pursuant to this paragraph for the two months immediately preceding; and the price of Class I milk for any of the months of April through July, inclusive, shall not be higher than the arithmetical average of the prices computed for such class pursuant to this paragraph for the two months immediately preceding.

8. Amend § 974.52 by striking out the present paragraph "(a)" and inserting in lieu thereof the following:

(a) In the months of April, May, June, and July deduct forty cents and in each of the other months deduct fifty cents from the Class I milk price computed pursuant to § 974.51 (a) for each of the respective months.

9. In § 974.52 (b) change the section reference which now is "974.53" to "974.54"

10. Insert a new section between § 974.52 and what is now § 974.53, which new section shall be known as "§ 974.53" and the present section so designated shall be designated § 974.54. The new § 974.53 to read as follows:

§ 974.53 *Class III milk prices.* The respective minimum prices per hundredweight to be paid by each handler for skim milk and butterfat in producer milk received at his fluid milk plant and classified as Class III milk shall be as follows, as computed by the Market Administrator:

(a) In the months of April, May, June and July deduct ninety cents from Class I milk price computed pursuant to

§ 974.51 (a) and in all other months deduct fifty cents from such price.

(b) Multiply the price computed in paragraph (a) of this section by the percentage computed in paragraph (b) of § 974.51 and then divide by 0.035. The resulting amount shall be the Class III butterfat price per hundredweight: *Provided*, That in no event shall the price of butterfat pursuant to this subparagraph be less than the price computed pursuant to paragraph (b) of § 974.54 prior to the proviso therein.

(c) Subtract from the price computed in subparagraph (a) of this section the amount computed in paragraph (b) of this section times 0.035 and divide the remainder by 0.965. The resulting amount shall be the Class III skim milk price per hundredweight.

11. Amend what is now § 974.53 and which will become § 974.54 by changing "Class III" wherever it appears therein to "Class IV"

12. Change the present section number 974.54 to "974.55"

13. Amend § 974.60 by striking out the last proviso which begins "*And provided also*," and inserting in lieu thereof the following: "*And provided also*, That such handler shall be credited with the difference between the Class III and Class IV prices for skim milk received in producer milk in excess of skim milk classified as Class I, Class II or Class III milk (other than that used to produce condensed skim milk) in any of the months of April, May, June and July which is disposed of in any such month in the form of condensed skim milk to a person whose supply of milk is not produced under permits or specified in § 974.7."

14. Amend § 974.63 (e) by striking "and classified as Class I milk and as Class II milk"

Proposed by The Central Ohio Cooperative Milk Producers Association, Inc..

15. Amend § 974.6 (a) to read as follows:

(a) Any person who operates a fluid milk plant;

16. Amend § 974.11 by inserting between the words "skim milk;" and "buttermilk," the words "cream, ice cream and other frozen desserts, or ice cream mix."

17. Amend the last proviso of § 974.60 by inserting after the phrase "in any such month" the following: "or any of the months of January, February or March of the following year"

18. Amend § 974.63 (e) to read as follows:

(e) Deducting for each of the months of April, May, June and July an amount computed by multiplying the following quantities of milk by 35 cents: (1) The hundredweight of milk which was received from producers during each such month and classified as Class I or Class II milk, and, (2) the hundredweight of milk on which payments were made for each such month pursuant to § 974.92 (b).

19. Amend § 974.77 by deleting paragraph (b) thereof and substituting therefor the following:

(b) Other source milk at a fluid milk plant classified as Class I or Class II.

20. Re-number §§ 974.92 and 974.93 as § 974.93 and 974.94, respectively, and add a new § 974.92 to read as follows:

§ 974.92 *Handlers subject to other orders.* In the case of any handler (as defined in this section) who the Secretary determines disposes of a greater portion of his milk as Class I and Class II milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act, the provisions of this order shall not apply except as follows:

(a) The handler shall with respect to his total receipts and utilization of milk, make reports to the market administrator at such time and in such manner as the market administrator may require and shall allow verification of such reports;

(b) If the price which such handler is required to pay under the other Federal order to which he is subject for milk which would be classified as Class I milk or Class II milk under this order is less than the price provided by this order, such handler shall pay to the market administrator, for deposit in the producer-settlement fund, except as provided in § 974.63 (e) (2) with respect to all milk disposed of (except to other handlers) as Class I milk or Class II milk within the marketing area, an amount equal to the difference between the value of such milk as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

21. Change the classification of fluid cream from Class II to Class I.

22. Make any and all other changes necessary to carry the above proposals into effect.

Copies of this notice of hearing and of the aforesaid tentative marketing agreement and order may be procured from the market administrator, Room 41, Old Federal Building, State and Third Streets, Columbus 15, Ohio, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be inspected there.

Dated: May 28, 1953.

[SEAL] GEORGE A. DICE,
Acting Assistant Administrator.

[F. R. Doc. 53-4805; Filed, June 2, 1953; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 10]

IMPORTATION OF WILD BIRD FEATHERS

EXTENSION OF TIME FOR SUBMISSION OF VIEWS ON PROPOSED RULE MAKING

The time allowed by the notice of proposed rule making published in the FEDERAL REGISTER of May 26 (18 F. R. 3024) for the submission of views, data, and arguments relating to the amendments proposed to be made by the Secretary of the Interior to §§ 10.1 to 10.5, inclusive, Title 50, Code of Federal Regula-

tions, as set out in said notice, is hereby extended from June 1 to June 20, 1953.

Dated: June 2, 1953.

ORME LEWIS,

Assistant Secretary of the Interior

[F. R. Doc. 53-5016; Filed, June 2, 1953;
10:52 a. m.]

CIVIL AERONAUTICS BOARD

I 14 CFR Parts 40, 41, 42 I

AIR CARRIER OPERATION RULES; EN ROUTE
PERFORMANCE OPERATING LIMITATIONS

NOTICE OF PROPOSED RULE MAKING AND ORAL
ARGUMENT THEREON

Notice is hereby given that the Civil Aeronautics Board will hear oral argument on July 30, 1953, at 10:00 a. m., e. d. s. t., in Room 5042, Department of Commerce Building, Washington, D. C.

The purpose of the oral argument is to permit interested persons to participate in the formulation of rules concerning whether, and under what circumstances and conditions, it is reasonable and will promote safety in flight of air commerce to promulgate rules permitting "drift-down" procedures in the application of the en route performance operating limitations for transport category airplanes in air carrier operations.

It has been requested that the Board amend the transport category en route performance operating limitations of Parts 40, 41, and 42 of the Civil Air Regu-

lations to permit the consideration of drift-down procedures. The reasons presented for this requested change are that the present rules are overly conservative and that the utilization of drift-down procedures in the transport category performance operating limitations would be of substantial benefit in air carrier operations without adversely affecting the safety of the operations.

The issues to be considered for oral argument are as follows:

(1) Should transport category airplanes in air carrier operations be permitted to take off at weights in excess of those at which the airplane is capable of maintaining an established rate of climb at an altitude of at least 1,000 feet above the elevation of the highest ground or obstruction within ten miles of either side of the intended track as presently required by the en route operating limitations, so long as the airplane is operated such that, in the event one or more engines become inoperative, sufficient performance margins exist to insure that the airplane will clear the ground or obstructions along the intended track by the minimums prescribed for the particular operation being conducted.

(2) In the event the rules are so amended, what operational safeguards should be established to assure that operations will be conducted without adversely affecting safety.

Interested persons desiring to present views and arguments pertaining to the proposed rule are requested to inform

the Director, Bureau of Safety Regulation, Civil Aeronautics Board, Washington 25, D. C. on or before July 6, 1953. In order that all interested persons may have the opportunity to ascertain the arguments to be presented to the Board and thereby present views which differ from those proposed to be presented by other interested persons, it is requested that communications in response to this notice be submitted in duplicate and specify the nature of the arguments to be presented. Copies of communications received in response to this notice will be available after July 9, 1953 for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C. As soon as practicable, notice will be given to interested persons with respect to the allocation of time for presentation of argument.

Interested persons may also participate in the proposed rule making through the submission of written data, views, and arguments pertaining thereto. Such presentation may be in lieu of, or in addition to, matter presented orally.

Issued in Washington, D. C., on May 28, 1953.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 53-4823; Filed, June 2, 1953;
8:54 a. m.]

NOTICES

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3044]

CONSOLIDATED NATURAL GAS CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER RESULTS OF COMPETITIVE BIDDING FOR DEBENTURES AND OVER FEES AND EXPENSES

MAY 27, 1953.

Consolidated Natural Gas Company ("Consolidated") a registered holding company, having filed with this Commission a declaration and amendments thereto, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 (the "act") and Rule U-50 promulgated thereunder, in respect of the following transactions:

Consolidated originally proposed the issuance and sale of \$40,000,000 principal amount of -- Percent Debentures due 1978. As now amended, the filing proposes the issuance and sale of \$25,000,000 principal amount of such Debentures; and

The Commission by order dated May 13, 1953, having granted said application, as amended, subject to the terms and conditions of Rule U-24 under the act and to the condition that the issuance and sale of said debentures were not to be consummated until the results of competitive bidding, pursuant to Rule U-50,

should have been made a matter of record in this proceeding and a further order issued, and jurisdiction having been reserved as to all fees and expenses incurred or to be incurred in connection with the proposed transactions, including fees and expenses of counsel for the successful bidder; and

Consolidated having filed a further amendment to its declaration therein stating that, in accordance with said order of the Commission dated May 13, 1953, it offered said debentures, for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Annual interest rate (percent)	Price to company ¹ (percent of principal)	Annual cost to Company (percent)
White Weld & Co., and Paine Webber Jackson & Curtis	3 3/4	101.43	3.786
Morgan Stanley & Co., and First Boston Corp.	3 3/4	101.2799	3.795
Halsey Stuart & Co., Inc.	3 3/4	101.15999	3.802

¹ Plus accrued interest from June 1, 1953, to date of delivery of and payment for said bonds.

Said amendment having further stated that Consolidated has accepted the bid of White Weld & Co., and Paine Webber Jackson & Curtis for the pur-

chase of the debentures, as set forth above, and that the debentures will be offered initially for sale to the public at a price of 102.016 percent of the principal amount thereof, plus accrued interest from June 1, 1953, resulting in an underwriters' spread of 0.586 percent of the principal amount of the debentures, or an aggregate amount of \$146,500; and

The record having been completed with respect to the fees and expenses incurred in connection with the proposed transactions, and it appearing that Consolidated's total fees and expenses estimated at \$141,410 consist principally of printing and Trustee charges, tax costs and payments of \$7,500 to Price Waterhouse & Company, accountants and \$7,500 Ralph E. Davis, consulting geologist. The fee of Cahill Gordon, Zachry & Reindel, counsel for the successful bidders, to be paid by them is \$10,000; and

The Commission having examined the record in the light of said amendment, and observing no basis for adverse findings under the act or for imposing terms and conditions with respect to the matters to be determined by competitive bidding; and it appearing to the Commission that the fees and expenses are not unreasonable provided they do not exceed the amounts estimated, and it appearing appropriate to the Commis-

sion that the jurisdiction heretofore reserved over the results of competitive bidding and over all fees and expenses, be released.

It is ordered, That the application, as further amended, be and the same hereby is, granted forthwith, and that the jurisdiction heretofore reserved be, and the same hereby is, released subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-4758; Filed, June 1, 1953;
8:47 a. m.]

[File No. 31-599]

REITZ COAL CO. AND WILMORE COAL CO.
NOTICE OF FILING OF AMENDMENT TO APPLICATION FOR EXEMPTION FROM ACT

MAY 28, 1953.

Notice is hereby given that an amendment has been filed to an application previously filed by Reitz Coal Company ("Reitz") a holding company, which application requests on behalf of Reitz and its wholly-owned subsidiaries, Rockingham Light, Heat and Power Company, a public utility company, and Central City Water Company, a non-utility company, exemption from the provisions of the Public Utility Holding Company Act of 1935 ("act") pursuant to section 3 (a) 3 (A) thereof. (See Holding Company Act Release No. 11844.) The aforesaid amendment has been filed by The Wilmore Coal Company ("Wilmore") a holding company and the parent of Reitz. The filing by Wilmore requests an exemption pursuant to section 3 (a) (3) of the Act on behalf of itself and its two non-utility subsidiaries, Kentland Coal and Coke Company ("Kentland") and Kentland-Elkhorn Coal Company ("Kentland-Elkhorn").

All interested persons are referred to said amendment which is on file in the offices of the Commission for a statement of the facts contained therein which are summarized as follows:

Wilmore, a Pennsylvania corporation, is engaged in the owning and leasing of real estate, principally coal lands, in central Pennsylvania. Its principal office is located in Philadelphia, Pennsylvania. Wilmore owns approximately 41 percent of the outstanding common stock of Reitz. Wilmore also owns 55,534 shares (96.4 percent) of the 57,586 outstanding shares of capital stock of Kentland, a West Virginia corporation, which is engaged in the owning of lands located in Kentucky and the leasing of such lands to others, including Kentland-Elkhorn. Kentland owns all of the 4,500 outstanding shares of capital stock of Kentland-Elkhorn, a Delaware corporation, which is engaged in the mining of coal in Kentucky.

The following table shows the gross income of Wilmore and Kentland and the gross sales of Kentland-Elkhorn and the net income of each such company for the 12 months ended December 31, 1951.

	Wilmore	Kentland	Kentland-Elkhorn
Gross income or gross sales.....	\$304,046	\$333,145	\$243,411
Net income.....	220,017	240,553	(104,333)

Parentheses indicate red figure.

During 1951 Wilmore received dividends of \$40,000 on its holdings of Reitz stock. Reitz's net income for 1951 amounted to \$238,808. Reitz's wholly-owned public utility subsidiary, Rockingham Light, Heat and Power Company, had gross operating revenues of \$128,801 and net income of \$5,030 for the 12 months ended December 31, 1951.

Notice is further given that any interested person may, not later than June 22, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on the amendment filed by Wilmore, stating the nature of his interest, the reason for such request and the issues, if any, of fact or law raised by such amendment proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. The application filed by Reitz, as amended by the amendment filed by Wilmore, may be granted at any time after June 22, 1953.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-4792; Filed, June 2, 1953;
8:46 a. m.]

[File Nos. 54-127, 59-3, 59-12, 70-1806]

ELECTRIC BOND AND SHARE CO.

ORDER AUTHORIZING DIVIDEND AND GRANTING RECITALS IN ACCORDANCE WITH SUPPLEMENT R OF INTERNAL REVENUE CODE

MAY 28, 1953.

The Commission, on February 20, 1953, having approved a plan, as amended (the "Plan") of Electric Bond and Share Company ("Bond and Share") for compliance with section 11 of the act, which Plan provided, among other things, that Bond and Share distribute as dividends, in the years 1953 and 1954, that number of shares of United Gas Corporation ("United") common stock (estimated in the Plan at 210,000 shares in each year), the market value of which at the time or times of the declaration of the dividends would aggregate approximately 90 percent of Bond and Share's net income for the calendar year in which such dividends were declared; and

The Plan providing for the right of Bond and Share, prior to approval of the Plan by the Commission or prior to its approval by an appropriate Court, to request the Commission for permission to effect the separate consummation, apart from the Plan, of one or more of the transactions included in the Plan; and

The Commission's order approving the Plan having provided, among other things, that the transactions therein proposed shall not be consummated until an order of an appropriate United States District Court shall have been entered approving and enforcing the Plan, and having reserved jurisdiction with respect to the disposition by Bond and Share of shares of the United common stock as proposed in the Plan; and

Application for such enforcement order having been made to the United States District Court for the Southern District of New York, and said matter having come on for hearing after appropriate notice and the Court having taken the application under advisement; and

The Court on May 20, 1953, upon the consent of all participants in the Court proceedings, having entered an order authorizing and approving the declaration and payment by Bond and Share of a dividend on such dates and in such number of shares of common stock of United as the Board of Directors of Bond and Share may determine, subject to the jurisdiction reserved by this Commission; and said order of the Court having reserved jurisdiction with respect to all other issues and matters relating to the Plan; and

Bond and Share having filed with the Commission a supplemental declaration and notice advising the Commission that its Board of Directors has declared a dividend payable June 30, 1953, to the stockholders of record of Bond and Share as of June 3, 1953, in shares of the common stock of United at the rate of 2 shares of United stock for each 100 shares of Bond and Share stock held (cash proceeds of shares sold to be distributed in lieu of fractional shares) and Bond and Share having requested that the Commission take such action as may be necessary to permit the payment of the dividend as proposed, which will require an aggregate of 105,007 shares of the common stock of United; and Bond and Share having requested that the Commission issue an order complying with the requirements of the Internal Revenue Code, as amended, including Supplement R and section 1808 (f) thereof; and

The Commission finding that the payment of the dividend as proposed is consistent with the Plan, with the findings and opinion and order of the Commission approving it, and with the provisions of the Court order dated May 20, 1953, that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and that no adverse findings are necessary and deeming it appropriate that the payment of the dividend as proposed should be permitted;

It is ordered, Pursuant to the applicable provisions of the act and subject to the terms and conditions contained in Rule U-24, that the supplemental declaration be, and the same hereby is, permitted to become effective forthwith.

It is further ordered and recited, That the payment by Electric Bond and Share Company as a dividend to its stockholders of 105,007 shares of common stock of United Gas Corporation is necessary or appropriate to the integration or simpli-

fication of the holding company system of which Electric Bond and Share Company is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, and section 1808 (f) and Supplement R thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-4794; Filed, June 2, 1953;
8:47 a. m.]

[File No. 54-136].

LONG ISLAND LIGHTING CO. ET AL.

SUPPLEMENTAL ORDER MODIFYING PRIOR
ORDER AND DIRECTING FURTHER PAYMENT
TO COMMITTEE

MAY 28, 1953.

In the matter of Long Island Lighting Company, Queens Borough Gas and Electric Company, Nassau & Suffolk Lighting Company. File No. 54-136.

The Commission having, on February 3, 1953, entered its findings and opinion and order approving the payment and denial of payment of fees and expenses in connection with the plan of consolidation and recapitalization filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (the "act") by Long Island Lighting Company, formerly a holding company, and its subsidiary companies, Queens Borough Gas and Electric Company, and Nassau & Suffolk Lighting Company, wherein, among other things, the Commission approved and directed, as properly incurred expenses, the payment of \$13,166.06 by Long Island Lighting Company ("Consolidated Corporation") the company resulting from the consolidation, to the Long Island Lighting Company 7 percent and 6 percent Preferred Stockholders Group (the "Committee") and denied the claim of the Committee that the Consolidated Corporation be directed to reimburse the Committee an additional amount of \$3,820.92 expended by the Committee in solicitation of proxies in connection with the nomination of the initial board of directors of the Consolidated Corporation; and

The Commission having, pursuant to sections 11 (e) and 18 (f) of the act, filed a Supplemental Application with the United States District Court for the Eastern District of New York (the "Court") requesting, among other things, that the Court approve the denial by the Commission of the payment to the Committee by the Consolidated Corporation of the \$3,820.92 and issue an order enforcing and carrying out the terms and provisions of the Plan relating to the payment and denial of payment of fees and expenses as determined by the Commission; and

The Committee having filed with the Court an objection to the Supplemental Application, and the Court having held a hearing thereon and having, on May 11, 1953, entered an order wherein,

among other things, it sustained the objections of the Committee with respect to the payment of the \$3,820.92 and remanded the matter to the Commission with directions that the Plan and the Commission's findings and opinion and order of February 3, 1953, be modified so as to allow such claim in full:

It is hereby ordered, That the Plan and the findings and opinion and order of the Commission entered February 3, 1953, in this matter are modified and the Consolidated Corporation is directed to pay the Committee \$3,820.92 in addition to the \$13,166.06 approved and directed to be paid in said order of February 3, 1953.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-4795; Filed, June 2, 1953;
8:47 a. m.]

[File No. 54-213]

PHILADELPHIA CO. AND CONSOLIDATED GAS
CO. OF THE CITY OF PITTSBURGH

ORDER APPROVING PLAN FOR DISSOLUTION OF
INACTIVE SUBSIDIARY COMPANY

MAY 28, 1953.

Philadelphia Company ("Philadelphia") a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and Philadelphia's non-utility and inactive subsidiary, The Consolidated Gas Company of the City of Pittsburgh ("Consolidated") having filed a joint application pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly section 11 (e) thereof, with respect to the following proposed transactions:

Consolidated is incorporated under the laws of Pennsylvania and formerly was engaged in the business of manufacturing and selling artificial gas in the City of Pittsburgh. In 1919 Consolidated ceased all operations and business and since then has been inactive and presently owns no assets.

The outstanding securities of Consolidated consist of 80,000 shares of common stock having a par value of \$50 per share and a non-interest bearing promissory demand note in the amount of \$1,131,353.69. Philadelphia is the beneficial owner of all said common stock and is the payee on the said note. In addition, Consolidated owes Philadelphia on open account \$534,883.33, representing interest accrued up to December 10, 1920, on open account loans made by Philadelphia to Consolidated during the period 1914 to 1920. Consolidated is also liable for \$525.04 on matured interest coupons issued in connection with an issue of bonds now paid and discharged. Cash in the amount of \$525.04 has been deposited with the trustee, under the mortgage indenture securing said bonds, under an irrevocable trust for the payment of said matured unpaid interest coupons.

Applicants propose the dissolution of Consolidated as a step in compliance by Philadelphia with the requirements

of section 11 of the act and an order issued by the Commission on June 1, 1948, directing Philadelphia to dissolve. In connection with the proposed dissolution of Consolidated, Philadelphia will release and discharge Consolidated of all its debts, liabilities and obligations owing to Philadelphia, and Philadelphia will surrender all Consolidated's common stock for cancellation. It is proposed that as soon as the Commission's order approving the plan has been obtained, Consolidated will institute court proceedings in the Court of Common Pleas of Allegheny County, Pennsylvania, asking for a decree of dissolution. Philadelphia proposes to pay all expenses, estimated at not more than \$300, in connection with the proposed dissolution of Consolidated.

Due notice having been given of the filing of the joint application and a hearing not having been requested or ordered by the Commission; and the Commission finding that the transactions proposed in said application are necessary to effectuate the provisions of section 11 (b) of the act, are fair and equitable to the persons who will be affected thereby, and satisfy in all respects the requirements of applicable provisions of the act and the rules promulgated thereunder, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted, effective forthwith:

It is ordered, Pursuant to the applicable provision of the act, that the application be, and hereby is, granted, effective forthwith, subject to the terms and conditions of Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-4793; Filed, June 2, 1953;
8:46 a. m.]

[File No. 70-3004]

CENTRAL AND SOUTH WEST CORP

SUPPLEMENTAL ORDER RELEASING
JURISDICTION OVER FEES

MAY 28, 1953.

The Commission, by orders dated March 24, 1953, and April 1, 1953, having permitted to become effective the declaration, as amended, of Central and South West Corporation ("Central"), a registered holding company, regarding the issuance and sale by Central to its stockholders, pursuant to a rights offering, of 606,084 shares of its common stock, and the sale of such shares of common stock not subscribed for by stockholders to underwriters; and the Commission having in said orders reserved jurisdiction over the payment of legal fees and service company fees; and

The record having been completed with respect to the legal fees, and the fees of the service company, and it appearing that such fees to be paid by Central aggregate \$26,300 as follows: \$11,000 to Middle West Service Company; \$1,800 to local counsel of Central's subsidiaries; \$12,000 to Stevenson, Dendtler, Bailey &

McCabe, counsel for declarant; \$1,500 to Isham, Lincoln & Beale for services in connection with the qualification or registration of said shares of common stock under state securities laws; and

It also appearing that the fee of Isham, Lincoln & Beale, counsel for the underwriters, which is to be paid by said underwriters, amounts to \$7,000; and

The Commission having examined the information furnished with respect to the fees, and finding that the services rendered by Isham, Lincoln & Beale for Central in connection with Blue Sky Laws were performed prior to the Commission's announced objections to the practice of dual employment in the case of underwriters' counsel (see Brockton Edison Company, Holding Company Act Release No. 11832, April 8, 1953) and also finding that all of the legal fees and service company fees to be paid herein are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved over the payment of legal fees and service company fees incurred or to be incurred in connection with the issue and sale of common stock be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-4796; Filed, June 2, 1953;
8:47 a. m.]

[File No. 70-3057]

GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING AUTHORITY TO ISSUE AND SELL ADDITIONAL SHARES OF COMMON STOCK THROUGH SUBSCRIPTION WARRANTS

MAY 27, 1953.

General Public Utilities Corporation ("GPU") a registered holding company, having filed an application-declaration, with amendment thereto, pursuant to the provisions of sections 6 (a) 7 and 12 (c) of the Public Utility Holding Company Act of 1935 ("the act") and Rules U-42 and U-50 thereunder, with respect to the following proposed transactions:

GPU proposes to issue 568,665 additional shares of its authorized and unissued common stock, par value \$5 per share, offering these first to the holders of its outstanding common stock by transferable subscription warrants carrying the right to subscribe for shares of such additional common stock on the basis of one share for each fifteen shares of common stock held of record. Subject to obtaining requisite orders, the record date will be June 2, 1953 and the subscription period will expire June 24, 1953. The subscription price will be supplied by amendment.

No warrant holder will be permitted to subscribe for a fraction of a share of stock. Moreover, warrants will not be issued to record holders of less than fifteen shares. Instead, GPU will pay such holders an amount per right which is the greater of (1) one-fifteenth of the difference between (a) the arithmetic average of the last sale price of GPU common stock on the New York

Stock Exchange on the second, third and fourth business days immediately following the record date, and (b) the subscription price, or (2) a minimum price to be supplied by amendment. The shares thus made available to GPU are included in those proposed to be issued.

Up to June 19, 1953, or to such later date as may be fixed by GPU without notice, the initial record warrant holders may sell their subscription rights to GPU at a price per right which will be the greater of (1) one-fifteenth of the difference between (a) the last sale price of GPU common stock on the New York Stock Exchange on the date of receipt by GPU of the warrant evidencing such rights, and (b) the subscription price, or (2) a minimum price to be supplied by amendment.

The offering will not be underwritten nor will GPU enter into any dealer-manager arrangement. GPU does propose, however, to utilize the services of security dealers in (1) soliciting the exercise of the warrants and in (2) disposing of shares which become available through the making of cash payments to holders of less than fifteen shares or through rights purchased by GPU or not exercised by the holders prior to the expiration date. The compensation per share to be paid by GPU to the participating dealers will be specified by amendment.

GPU will permit each subscribing warrant holder to purchase such number of shares of common stock as, together with the shares theretofore held by him of record and the shares to be purchased by him upon such exercise of his warrant, will result in the holding by him of a multiple of ten shares but not more than the next highest multiple of one hundred shares, provided that GPU has shares available for the purpose. Such purchases will be made at the price, as described below, applicable to sales of GPU common stock by participating dealers at the time that the subscribing warrant holder's request to purchase such shares is filed.

During the subscription period or until such date not later than ten days thereafter as GPU may determine, participating dealers may purchase from GPU all or any part of such shares as GPU shall make available to them out of shares becoming available to it. The purchase price to be paid to GPU by participating dealers shall be announced by GPU on the day as such purchase, and shall not be (a) in excess of the last quoted price asked for shares of GPU common stock on the New York Stock Exchange plus an amount per share to be specified by amendment, or (b) less than the higher of (i) the last previous bid price for such stock or (ii) the subscription price. In the event any shares thus made available to participating dealers are not purchased by them within 24 hours after notice of availability, GPU may sell such shares to other persons at the price then applicable to sales by participating dealers as determined and announced by GPU on the day of such sale.

GPU states that it may, during the subscription period and for not more than ten days thereafter, effect transac-

tions designed to stabilize the market for the rights and shares, but that in no event will it acquire, as a result of such transactions, a net long position in excess of 56,867 shares.

GPU requests that the Commission grant an exemption from the competitive bidding requirements of Rule U-50 to the extent that such rule may be applicable to the sale of the additional common stock to participating dealers or others.

Of the net proceeds from the sale of the additional common stock, GPU states that it will use \$7,000,000 to repay its bank loans incurred for the purpose of making additional investments in its subsidiaries. Substantially all of the remaining net proceeds will be used to enable GPU's subsidiary, Associated Electric Company, to purchase additional common stock of the latter's subsidiary, Pennsylvania Electric Company.

GPU states that no State or Federal regulatory commission, other than this Commission, has jurisdiction over the proposed transactions.

The filing further states that the fees and expenses of GPU in connection with the proposed transactions, other than commissions to dealers, are estimated to aggregate \$190,000, including \$18,000 for legal fees and expenses of the company's counsel, and \$40,000 for the subscription agent.

Due notice having been given of the filing of the said application-declaration as amended, and a hearing not having been requested of or ordered by the Commission; and

The Commission finding that the requirements of the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interests of investors and consumers that said application-declaration as amended be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration as amended be, and the same hereby is, granted and permitted to become effective forthwith, subject to the provisions of Rule U-24 and to the following additional terms and conditions:

(1) That the proposed issuance and sale by GPU of the additional common stock shall not be consummated until an amendment is filed herein setting forth (a) the subscription price; (b) the minimum price per right that GPU will pay to holders of record; (c) the compensation to be paid by GPU to participating dealers for soliciting the exercise of subscription warrants and for purchasing from GPU such shares as GPU shall make available to them; and (d) the fixed amount per share which is to be added to the last quoted price asked for shares of GPU common stock on the New York Stock Exchange; nor shall the proposed issuance and sale of said stock be consummated until a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate;

NOTICES

(2) That jurisdiction be, and the same hereby is, further reserved with respect to the legal fees incurred or to be incurred in connection with the consummation of the proposed transactions.

It is further ordered, That the request for exemption from the provisions of Rule U-50 to the extent such rule is applicable to the proposed transactions be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-4797; Filed, June 2, 1953;
8:47 a. m.]

[File No. 70-3060]

AMERICAN GAS AND ELECTRIC CO. AND
AMERICAN GAS AND ELECTRIC SERVICE
CORP.

ORDER AUTHORIZING ISSUE AND SALE OF
CAPITAL STOCK BY SUBSIDIARY SERVICE
COMPANY AND ACQUISITION THEREOF BY
PARENT

MAY 27, 1953.

American Gas and Electric Company ("American Gas") a registered holding company, and its wholly owned subsidiary, American Gas and Electric Service Corporation ("Service Corporation") having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 6, 7 and 10 thereof, proposing that Service Corporation, by charter amendment, increase its authorized capital stock from 10,000 shares of a par value of \$100 per share, all of which is presently outstanding, to 20,000 shares of such par value, and to issue 3,500 shares of said capital stock to American Gas for a consideration of \$250,000 in cash and the cancellation of a \$100,000 advance on open account owed by Service Corporation to American Gas. It is stated that the proceeds from the proposed issuance and sale of capital stock will be used to provide additional permanent capital for Service Corporation, made necessary by its expanded activities.

Service Corporation estimates that expenses in connection with the proposed transactions will not exceed \$1,000, including \$500 for the New York State tax on the increase in authorized capital, and \$385 Federal issuance tax on the 3,500 shares of capital stock to be issued. It is requested that the Commission's order become effective upon issuance.

Due notice of the filing of the joint application-declaration having been given and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said joint application-declaration be, and it hereby is, granted and permit-

ted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-4798; Filed, June 2, 1953;
8:48 a. m.]

[File No. 70-3065]

ARKANSAS POWER & LIGHT CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF
FIRST MORTGAGE BONDS AT COMPETITIVE
BIDDING

MAY 27, 1953.

Arkansas Power & Light Company ("Arkansas") a public utility subsidiary of Middle South Utilities, Inc., a registered holding company, having filed an application, and an amendment thereto, pursuant to the third sentence of section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, with respect to the following transactions:

Arkansas proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$18,000,000 principal amount of First Mortgage Bonds, — percent Series, due 1983. The bonds will be issued under and secured by the company's Mortgage and Deed of Trust dated as of October 1, 1944, as heretofore supplemented and as to be further supplemented by a Seventh Supplemental Indenture to be dated as of June 1, 1953.

The application states that the net proceeds from the sale of the bonds will be used in connection with the company's construction program and for other corporate purposes. The company's construction program for the year 1953 is estimated to cost \$39,749,000, of which \$9,218,000 had been expended to March 31, 1953. Estimated expenditures for the year 1954 are stated at \$19,300,000.

The issuance and sale of the proposed bonds have been expressly authorized by the Arkansas Public Service Commission, the State Commission of the State in which Arkansas is organized and doing business. Applicant requests that the Commission's order herein become effective upon its issuance.

Due notice having been given of the filing of the application and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted, effective forthwith, without the imposition of terms and conditions, other than those specified below:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as amended, be, and it hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following additional terms and conditions:

(1) That the proposed sale of bonds by Arkansas shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate;

(2) That jurisdiction be, and hereby is, reserved with respect to the payment of all legal fees and expenses, including fees and expenses of counsel for the underwriters, incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-4799; Filed, June 2, 1953;
8:48 a. m.]

[File No. 24D-1130]

DAKOTA-MONTANA OIL LEASEHOLDS, INC.

ORDER SUSPENDING EXEMPTION AND NOTICE
OF OPPORTUNITY FOR HEARING

MAY 28, 1953.

Dakota-Montana Oil Leaseholds, Inc., having filed, on May 1, 1953, with the Commission a notification on Form 1-A relating to a proposed offering of 300,000 shares of its common stock (50¢ par value) at \$1.00 per share for the purpose of obtaining an exemption from the registration provisions of the Securities Act of 1933, as amended, pursuant to the provisions of Section 3 (b) thereof, and Regulation A promulgated thereunder, and

The Commission, having reasonable cause to believe (1) that the terms and conditions of said Regulation A have not been complied with, in that the notification on Form 1-A and the offering circular omit to state material facts necessary to make the statements made, in the light of the circumstances under which they are made, not misleading; Namely, failure to disclose the pendency of, and the basis for, the proceedings under sections 15 (b) and 15A of the Securities Exchange Act of 1934 against Weber-Millican Co., the proposed underwriter; and (2) that the omission of the foregoing information in connection with any offering of the shares to which the notification relates would operate as a fraud or deceit upon the purchasers thereof;

It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, that the conditional exemption under Regulation A be, and it hereby is, suspended.

Notice is hereby given that, upon receipt of a written request, the Commission will set the matter down for hearing within twenty days after receipt of such request, at a place to be designated by the Commission, for the purpose of determining whether said order of suspension shall be vacated, and that notice of the time and place for such hearing will be promptly given by the Commission.

It is further ordered, That this order and notice shall be served upon Dakota-Montana Oil Leaseholds, Inc., and Weber-Millican Co., personally or by registered mail or by confirmed telegraphic notice, and shall be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-4800; Filed, June 2, 1953;
8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Rent Stabilization

DESIGNATION OF ACTING AREA RENT DIRECTORS

Regional Directors are hereby designated to act as Acting Area Rent Directors where the office of Area Rent Director in a defense-rental area under the jurisdiction of the Regional Director is vacant and the location of such Area Rent Office has been transferred to the Office of the Regional Director.

Issued and effective this 1st day of June 1953.

GLENWOOD J. SHERRARD,
Director of Rent Stabilization.

[F. R. Doc. 53-4861; Filed, June 1, 1953;
3:56 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2123]

LONE STAR GAS CO.

NOTICE OF FINDINGS AND ORDER

MAY 28, 1953.

Notice is hereby given that on May 27, 1953, the Federal Power Commission issued its order adopted May 26, 1953, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4808; Filed, June 2, 1953;
8:50 a. m.]

[Docket No. G-2173]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

MAY 28, 1953.

Take notice that Texas Eastern Transmission Corporation (Applicant) a Delaware corporation having its principal place of business at Shreveport, Louisiana, filed on May 19, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act. Applicant requests the Commission to act on its application pursuant to § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) to omit the intermediate decision procedure, and,

pending final determination of the application, to issue temporary authorization pursuant to § 157.17 of the Commission's rules of practice and procedure (18 CFR 157.17) for the construction applied for.

Applicant proposes to construct and operate approximately 4.5 miles of 6½-inch O. D. pipe line from a point at or near the Willow Springs Field in Gregg County, Texas, to a point of interconnection with Applicant's existing 24-inch pipe line in Harrison County, Texas. Applicant states that the proposed facility will enable it to transport natural gas to be purchased in the Willow Springs Field and thus augment its available reserves for the service of its existing markets.

The application is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure, §§ 1.8 or 1.10 (18 CFR 1.8 or 1.10) on or before the 17th day of June 1953.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4806; Filed, June 2, 1953;
8:49 a. m.]

[Docket Nos. ID-1198, ID-1199]

W. EUGENE SANDERS AND A. ROBERT MOSS

NOTICE OF ORDERS AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

MAY 28, 1953.

In the matters of W. Eugene Sanders, Docket No. ID-1198; A. Robert Moss, Docket No. ID-1199.

Notice is hereby given that on May 27, 1953, the Federal Power Commission issued its orders adopted May 26, 1953, authorizing applicants to hold certain positions pursuant to section 305 (b) of the Federal Power Act in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4809; Filed, June 2, 1953;
8:50 a. m.]

[Project No. 99]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER FURTHER AMENDING LI- CENSE (MAJOR) AND DISMISSING APPLI- CATION FOR AMENDMENT OF LICENSE

MAY 28, 1953.

Notice is hereby given that on April 3, 1953, the Federal Power Commission issued its order adopted March 31, 1953, further amending license (Major) and dismissing application for amendment of license in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4810; Filed, June 2, 1953;
8:50 a. m.]

[Project No. 2032]

LOWER VALLEY POWER AND LIGHT, INC. NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

MAY 28, 1953.

Public notice is hereby given that Lower Valley Power and Light, Inc., of Freedom, Wyoming, has made application for amendment of its license for Project No. 2032, pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r), located on Strawberry Creek in Lincoln County, Wyoming, and affecting lands of the United States within Bridger National Forest, to install the third generating unit consisting of a 725-horsepower impulse turbine and a 500-turbine and a 500-kilowatt generator which are identical to those of the two units already installed and operating, and appurtenant electrical facilities. Space for the third unit was provided in the powerhouse during initial construction.

Protest or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 15th day of July 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4807; Filed, June 2, 1953;
8:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

DESIGNATION OF ACTING COMMISSIONER, COMMUNITY FACILITIES AND SPECIAL OPERATIONS

ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

I hereby designate Taylor J. Chamberlain to act in the place and stead of the Commissioner, Community Facilities and Special Operations, with the title of "Acting Commissioner," during the absence or disability of the Commissioner or in the event of a vacancy in that position.

While serving in such capacity, the Acting Commissioner, Community Facilities and Special Operations, shall exercise all the powers and functions and assume the duties and responsibilities which have been delegated or assigned to the Commissioner.

This designation supersedes the unpublished designation to the same effect dated May 25, 1953.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 63 Stat. 1233 (1948), as amended by 64 Stat. 89 (1950), 12 U. S. C. 1946 ed. Sup. V 1701c)

Effective as of this 1st day of June 1953.

ALBERT M. COLE,
Housing and Home
Finance Administrator.

[F. R. Doc. 53-4860; Filed, June 2, 1953;
8:45 a. m.]

Public Housing Administration

DIRECTOR OF CONSTRUCTION BRANCH,
DEVELOPMENT DIVISION

CENTRAL OFFICE ORGANIZATION AND FINAL
DELEGATION OF AUTHORITY

Section II, *Central Office organization and final delegation of authority to Central Office officials*, is amended as follows:

Paragraph 1 is added to section II as follows:

1. The Director of the Construction Branch, Development Division, is hereby authorized to hear, consider, and decide, as the duly authorized representative of the Commissioner, all appeals arising out of contracts made by or for the Public Housing Administration in connection with the development of projects where contract provisions state substantially that disputes concerning questions of fact arising under the contract shall be decided by the contracting officer, subject to appeal by the contractor within 30 days to the head of the department or to his duly authorized representative.

Date approved: May 27, 1953.

JOHN TAYLOR EGAN,
Commissioner

[F. R. Doc. 53-4788; Filed, June 2, 1953;
8:45 a. m.]

ASSISTANT COMMISSIONER FOR
DEVELOPMENT

CENTRAL OFFICE ORGANIZATION AND FINAL
DELEGATIONS OF AUTHORITY

Section II, *Central Office organization and final delegations of authority to Central Office officials*, is amended as follows:

Subparagraph (k) (2) delegating authority to the Assistant Commissioner for Development to hear, consider and decide appeals arising out of certain contracts made by or for the PHA, is hereby revoked.

Date approved: May 27, 1953.

JOHN TAYLOR EGAN,
Commissioner

[F. R. Doc. 53-4838; Filed, June 2, 1953;
8:45 a. m.]

**INTERSTATE COMMERCE
COMMISSION**

[4th Sec. Application 28115]

CEMENT FROM NORTH CHATTANOOGA,
TENN., TO MURPHY, N. C.

APPLICATION FOR RELIEF

MAY 29, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Southern Railway Company.

Commodities involved: Cement, in carloads.

From: North Chattanooga, Tenn.

To: Murphy, N. C.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission:

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-4813; Filed, June 2, 1953;
8:51 a. m.]

[4th Sec. Application 28116]

CRUDE SULPHUR FROM TEXAS AND
LOUISIANA TO TENNESSEE

APPLICATION FOR RELIEF

MAY 29, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Sulphur (brimstone) crude, carloads.

From: Points in Louisiana and Texas.

To: Nashville and Old Hickory, Tenn., and other points in Tennessee.

Grounds for relief: Circuitous routes, competition with water carriers.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3862, suppl. 185.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect

to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-4814; Filed, June 2, 1953;
8:51 a. m.]

[4th Sec. Application 28117]

FOREIGN WOODS FROM ALABAMA, FLORIDA,
LOUISIANA, AND MISSISSIPPI, TO MARSDEN,
N. C.

MAY 29, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Lumber, logs, fitches or piling of foreign woods, dimension stock, carpenter's moulding, built-up woods and veneer, carloads.

From: Mobile, Ala., Pensacola, Fla., Kenner and New Orleans, La., Gulfport, Laurel, Moss Point, and Pascagoula, Miss.

To: Marsden, N. C.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1356, suppl. 2.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-4815; Filed, June 2, 1953;
8:51 a. m.]